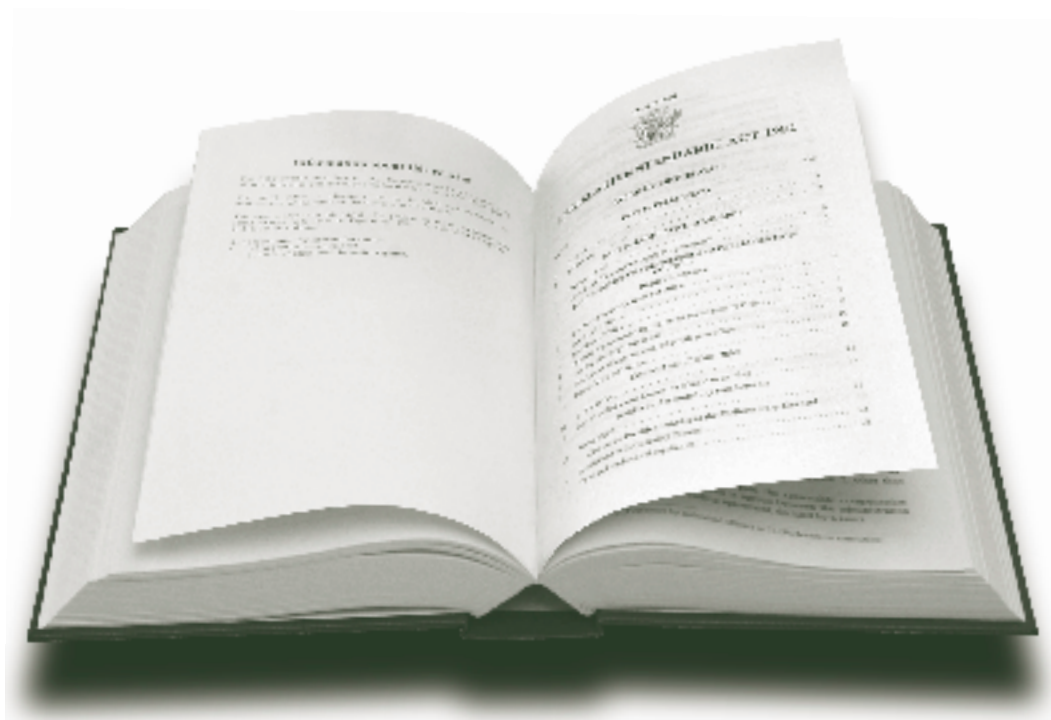


OFFICE OF THE QUEENSLAND PARLIAMENTARY COUNSEL



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Office of the Queensland Parliamentary Counsel
Levels 17 and 18, 111 George Street
Brisbane 4000

PO Box 185
Brisbane Albert Street
Queensland 4002

Telephone: 07 3237 0466
Facsimile: 07 3229 6295

Web: <www.legislation.qld.gov.au>

Copies of this report are available on our web site or by contacting
the Manager Publications and Corporate Services on 07 3237 0120.

office of the queensland parliamentary counsel

annual report

2002–2003

Letter of transmission

Office of the Queensland Parliamentary Counsel

The Hon. Peter Beattie MP
Premier of Queensland

Dear Premier,

I have much pleasure in presenting the annual report of the operations of the Office of the Queensland Parliamentary Counsel.

The report covers the period 1 July 2002 to 30 June 2003.

A handwritten signature in dark ink, appearing to read 'Peter Drew', is positioned above the printed name and title.

Peter Drew
Parliamentary Counsel

1 October 2003

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the year in review

The year in review

Goals	Principal Activities	Achieving the purposes of the <i>Legislative Standards Act 1992</i>
<i>Provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard</i>	<ul style="list-style-type: none"> ■ 9 474 pages of legislation drafted ■ 117 Government Bills drafted ■ 15 Bills for private members drafted ■ 372 statutory instruments drafted ■ 157 pages of amendments in committee drafted ■ provision of high-level advice on alternative ways of achieving policy objectives ■ extensive on-going contact with clients for the planning and delivery of the legislative program 	<ul style="list-style-type: none"> ■ high level of client satisfaction (92%) as measured by a survey of government departments (target 85%) ■ all essential legislation delivered in a timely fashion to government and private members ■ low level of reported inaccuracies in legislation (.51%) due to strict quality checking processes (target less than 4%) ■ maintenance of clear and simple drafting styles, with an emphasis on plain English ■ protection of the institution of Parliament and the rights and liberties of individuals through compliance with and continued cultivation of an awareness of fundamental legislative principles ■ effective policy implementation through a high quality drafting product ■ ensuring access to justice by providing an appropriate system of rules to govern our society
<i>Ensure Queensland legislation is readily available by providing responsive publication, advisory and information services</i>	<ul style="list-style-type: none"> ■ 165 hard-copy reprints published (18 138 pages) ■ 965 electronic reprints published (116 376 pages) ■ 98% of electronic reprints published within two weeks of amendments commencing (target 75%) ■ 100% of agreed deadlines met for printed publications ■ consultation with client focus group concerning the office's point-in-time database 	<ul style="list-style-type: none"> ■ free immediate public access to all versions of Queensland legislation as passed or made ■ free public access to most electronic reprints soon after amendment ■ continued improvement of OQPC's web site to enhance access to Queensland legislation ■ ensuring access to justice by ensuring community access to the legislation that governs them and provides them with rights



Goals	Principal Activities	Achieving the purposes of the <i>Legislative Standards Act 1992</i>
<i>Optimise staff contribution to the achievement of the office's and government's goals</i>	<ul style="list-style-type: none"> ■ major upgrade of OQPC's intranet to enhance internal communication channels ■ revision of OQPC's induction manual and conversion to an on-line system 	<ul style="list-style-type: none"> ■ office capability maintained through retention of experienced staff and ongoing training ■ continued implementation of performance development system
<i>Deliver reliable and timely information technology and other process management systems, supporting emerging organisational needs</i>	<ul style="list-style-type: none"> ■ continued development of OQPC's web site resulting in a further increase of users—an average of 3 629 per day for the 2002–2003 financial year (see graph p.27) ■ Strategic Recordkeeping Implementation Plan completed ■ major risk management review undertaken and risk management practices implemented 	<ul style="list-style-type: none"> ■ office capability and community access improved through continued enhancement of office systems ■ adherence to whole-of-government standards

our organisation

Our organisation

History and key roles

The Office of the Queensland Parliamentary Counsel (OQPC) was established as a statutory authority by the *Legislative Standards Act 1992* on 1 June 1992.

The purposes of the Act (section 3) are therefore the key roles of the office, that is, to ensure that:

- Queensland legislation is of the highest standard
- an effective and efficient drafting service is provided for Queensland legislation
- Queensland legislation, and information about Queensland legislation, is readily available in printed and electronic form.

Subject to the Minister (the Honourable the Premier) the office is controlled by the Queensland Parliamentary Counsel. However, the Director-General, Department of the Premier and Cabinet is the accountable officer responsible for the financial administration of the office.

Functions

The office has a broad range of functions under the Act (section 7) including:

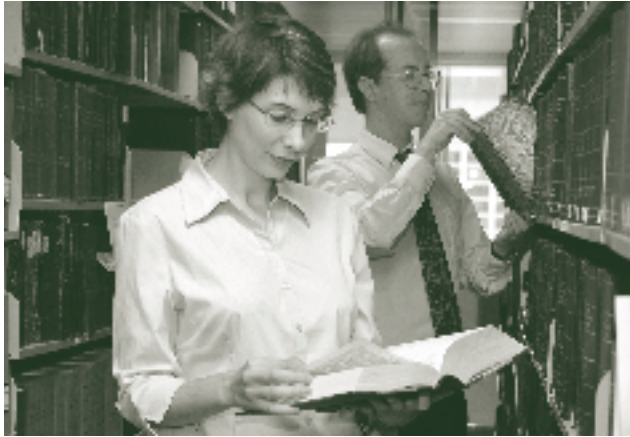
- drafting all Government Bills
- drafting, if asked, proposed Bills for government entities other than departments and public service offices
- drafting, if asked, private members' Bills
- drafting all amendments of Bills for Ministers
- drafting, if asked, amendments of Bills for other members
- drafting all subordinate legislation other than exempt subordinate legislation
- drafting, if asked, all other instruments for use in, or in connection with, the Legislative Assembly
- in performing its drafting functions, providing advice to Ministers, members and government entities about alternative ways of achieving policy objectives and the application of fundamental legislative principles

- providing advice to the Governor in Council, Ministers, and government entities on the lawfulness of proposed subordinate legislation
- ensuring the Queensland statute book—that is, Queensland's written laws, including both Acts and subordinate legislation—is of the highest standard
- preparing reprints of Queensland legislation and information about Queensland legislation
- making arrangements for the printing of Queensland legislation and legislative information
- making arrangements for electronic access to Queensland legislation.

Our clients

The office uses a team-based approach to provide its clients with the best possible service. It is structured into four teams, Groups A, B, C and the publications and corporate services group. Groups A, B and C each provide drafting and advisory services to a particular set of drafting clients, as well as publishing consolidations of legislation (reprints) relating to their set of clients. The publications and corporate services group is responsible for legislative access issues, legislative information publications, information technology, library services, and corporate services.





Drafting and advisory clients

The office's clients for its drafting services are the people who provide instructions for drafting proposed legislation. Instructors include the Premier, Cabinet, Ministers, government departments, government entities, parliamentary committees, and members of the Legislative Assembly.

Executive Government is a major client because it sponsors most Bills in the Parliament, however, under the *Legislative Standards Act 1992*, any member of the Legislative Assembly may ask the parliamentary counsel for drafting services. The parliamentary counsel must comply with the request unless the parliamentary counsel considers that it would not be possible to comply with the request without significantly and adversely affecting the Government's legislative program.

Publishing clients

The office's publishing clients are all those to or for whom the office provides access to legislation through its publishing activities.

The office provides in-house publishing services to the Parliament, government departments and government entities by:

- producing the versions of Bills required for their passage through the Legislative Assembly and assent

- preparing copies of subordinate legislation for certification by the office and providing the certified copies for making by a Minister, board, agency or the Governor in Council
- coordinating notification, publication and tabling processes for subordinate legislation, including publication and notification of subordinate legislation in extraordinary gazettes for departments.

Because every member of the community is potentially affected by legislation, the office recognises the community in general as an important publishing client. The courts and legal profession are important publishing clients in view of their vital roles in interpreting and advising clients about legislation.

Strategic direction

The office's strategic direction is aligned with the Queensland Government's priorities and the office's work is planned and evaluated within the government's Managing for Outcomes framework.

Under Managing for Outcomes, OQPC delivers the output of 'legislative drafting, advisory and information services—the provision of legislative drafting and associated advisory services, legislative databases, legislation reprints, and legislative information publications and services'.

Our mission

To deliver efficiently the legislation required for State democratic processes and to support justice by ensuring legislation is effective, accessible and consistent with fundamental legislative principles

Our vision

A highly motivated, proactive and professional office that uses the best technology, skills and practices to ensure Queensland legislation is of the highest standard



Supporting the Government's priorities

The output **Legislative drafting, advisory and information services** (the provision of legislative drafting and associated advisory services, legislative databases, legislation reprints, legislative information publications and services) ...

through the **key result areas** of:

1. **Legislative drafting services**

goal: to provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard

2. **Legislative publishing and information services**

goal: to ensure Queensland legislation is readily available by providing responsive publication, advisory and information services

3. **Organisational capability**

goal 1: to optimise staff contribution to the achievement of the office's and government's goals

goal 2: to deliver reliable and timely information technology and other process management systems, supporting emerging organisational needs

supports **strategic governance**
(the processes by which the State public sector and its system of local government are managed; incorporates whole-of-government support services and policy development) ...

which underpins the
5 whole-of-government priorities

1. **More jobs for Queensland—skills and innovation—the Smart State**
Legislation supports Queenslanders in gaining and maintaining employment through providing a legal infrastructure that supports investment and development, and encouraging an environment that allows business to grow and diversify

2. **Safe and more supportive communities**
Legislation improves personal and public safety by providing a framework of rules and the power to enforce the rules

3. **Community engagement and a better quality of life**
Legislation and access to legislation support the democratic processes that underpin our way of life

4. **Valuing the environment**
Because serious concerns about the environment are relatively recent, enforceable protection of the environment is largely based on legislation

5. **Building Queensland's regions**
Legislation supports State-wide development by providing appropriate powers for the government to support regional development

Planning

The office uses three levels of planning to ensure it achieves its goals and evaluates performance:

- the strategic plan, which states OQPC's strategic direction, including goals and strategies
- the business plan, which supports the strategic direction through a detailed one-year outline of operational activities
- personal plans, in which each member of staff lists specific projects and task responsibilities.

Our values

- commitment to client service, including honesty, objectivity, dedication and responsibility
- commitment to quality, including a proactive approach to innovation and continuous improvement
- teamwork
- valuing the contribution of staff as individuals and team players
- fostering a supportive and professional working environment in which staff gain job satisfaction, skills development, career development and a sense of achievement

Reporting and evaluation

- OQPC's performance is measured in terms of quality, quantity and timeliness. These measures include regular feedback from drafting clients and the annual input of a client focus group.
- In accordance with the government's Managing for Outcomes initiative, OQPC provides quarterly reports on its performance.
- The annual report provides a comprehensive overview of the office's performance on an annual basis.



- The office is included in the program of audits and evaluations performed by Audit and Evaluation Services in the Department of the Premier and Cabinet.
- At the end of each financial year OQPC reports on business plan projects completed during the year.
- The performance of each staff member is monitored through the performance development system which incorporates performance appraisal and development.

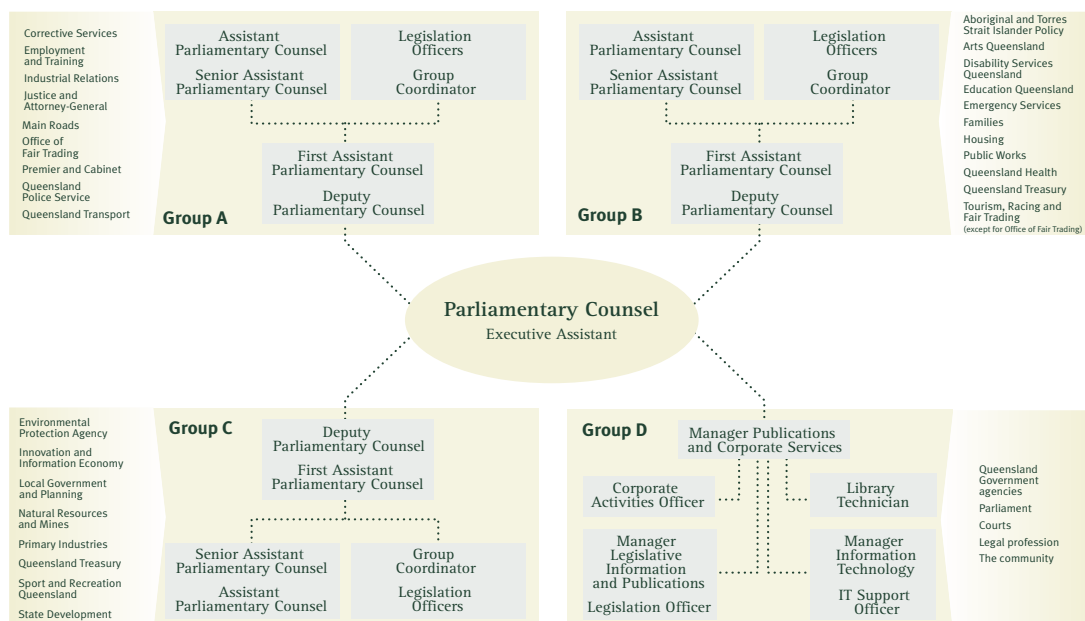
The work of a legislative drafting office is difficult to measure with precision. Workloads are driven by the Government's legislative program and the sittings pattern of the Legislative Assembly and so may vary from year to year. Law making is complex and involves many players. Ultimately, assessment of the office's performance must be made by its clients.

Delivering quality service

The office has a variety of ways to ensure it continues to deliver quality service to clients:

- distributing a quarterly satisfaction survey to drafting clients
- providing highly-polished consultation drafts of legislation to clients to enable them to ensure stakeholders and interested persons are consulted about proposed legislation
- consulting regularly with a client focus group comprised of publishing clients to get their views on ways to improve legislative information material
- maintaining a hotline and email enquiry and feedback service.

OQPC CORPORATE STRUCTURE AND CLIENT DEPARTMENTS



KEY RESULT AREAS, GOALS, STRATEGIES AND PERFORMANCE MEASURES

Key Result Areas	Legislative Drafting Services		Legislative Publishing & Information Services	
	Goals		Goals	
Strategies & Performance Measures	To provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard		To ensure Queensland legislation is readily available by providing responsive publication, advisory and information services	
	Strategies	Performance Measures	Strategies	Performance Measures
	<ul style="list-style-type: none"> deliver the Government's legislative program implement effective and efficient processes, including for example, identifying clients' needs provide high-level, professional advice on alternative ways of achieving policy objectives provide high-level, professional advice on the application of fundamental legislative principles ensure an overall drafting product of the highest standard, through, for example, clear and simple drafting styles and effective policy implementation raise awareness and knowledge of fundamental legislative principles 	<ul style="list-style-type: none"> legislative program delivered involving monitoring the number of Bills and statutory instruments drafted 85% or better of government client satisfaction, as measured by client survey, with drafting process, advice and overall product low error rate (target less than 4%) as measured by a strict reporting system improvements in legislative style and format as a result of consultation with clients, with a focus on consistency across jurisdictions increased awareness due to comprehensive manuals developed or reviewed and published to government officers 	<ul style="list-style-type: none"> provide up-to-date legislation (printed and electronic) publish information enhancing access to Queensland legislation raise the profile of OQPC and its role through targeted information material continually improve our web site consult regularly with clients to ensure Queensland legislation is responsive to demand for access provide a responsive telephone and email information service 	<ul style="list-style-type: none"> 100% of mandatory deadlines and 90% or better of other deadlines met for printed legislative publications 75% or better achievement of turnaround times for electronic publishing of updated legislation 100% of mandatory deadlines and 90% or better of other deadlines met for printed legislative information publications increase in the number of daily hits on OQPC's web site and broadening of source of hits specific improvements to OQPC's web site, e.g. more links to relevant sites and more contextual information and explanations about legislative material on the site annual consultation process undertaken to assess reprint accessibility, and other ways to improve access to legislation other targeted surveys of the general community performed number of telephone and email enquiries answered

KEY RESULT AREAS, GOALS, STRATEGIES AND PERFORMANCE MEASURES

Key Result Areas	Organisational Capability			
Goals	To optimise staff contribution to the achievement of the office's and government's goals		To deliver reliable & timely information technology & other process management systems, supporting emerging organisational needs	
Strategies & Performance Measures	Strategies	Performance Measures	Strategies	Performance Measures
	<ul style="list-style-type: none"> ■ use best practice human resource management systems ■ use a system of office forums and meetings to involve staff in decision-making and planning and feedback ■ implement a coordinated training program ■ encourage staff in the implementation of a client-focused approach ■ implement personal development process through personal plans 	<ul style="list-style-type: none"> ■ full staffing levels maintained and staff trained to the appropriate level ■ performance evaluation through the personal planning and achievement process ■ forums covering all staff held on average at least once a month ■ high degree of client satisfaction as measured by feedback through surveys and client focus groups 	<ul style="list-style-type: none"> ■ continually review and improve office computer systems, particularly their impact on the efficient production of legislation and accessibility to legislation ■ review office processes in the context of best practice and risk management ■ develop and implement a privacy plan ■ be aware of and operate according to whole-of-government information technology and management procedures 	<ul style="list-style-type: none"> ■ identifiable significant improvements to computer systems and the office's web site, e.g. faster, more reliable computer hardware, updated computer software, and better Internet access ■ process improvements through implementation of relevant business plan projects ■ comprehensive documentation of office standards, procedures and practices ■ high degree of compliance with relevant whole-of-government information standards and procedures

our performance

2002-2003

Drafting services

Our goal

To provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard

Challenges

Meeting the high level of demand for high quality drafting and advisory services

The Government's legislative program has resulted in a continuing high demand for drafting and advice. The engagement of the Government with the community involves the provision of larger quantities of consultation drafts of legislation.

Also, legislation continues to become more complex and sensitive. OQPC is responding to this challenge by:

- continuing to maintain a high level of compliance with fundamental legislative principles (FLPs) by providing strong advice and encouraging awareness of FLPs

- providing relevant training and support for staff
- maintaining rigorous quality assurance processes.

Continually improving the quality of legislative drafting

There is a constant challenge to demonstrate that legislation is being continually improved. OQPC is responding to this challenge by:

- providing ongoing training for staff to enable them to write effective and highly readable legislation that shows an appreciation of contemporary sophisticated policy, current law, and fundamental legislative principles
- maintaining rigorous quality assurance systems
- applying plain English drafting practices
- reviewing the way legislation is presented.

Enhancing the link between high quality drafting and high quality policy

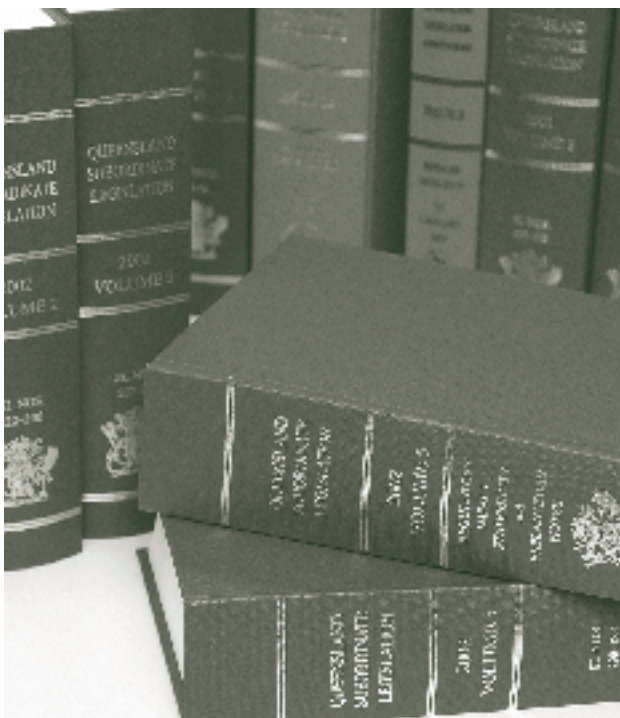
The office is committed to value-adding in the process of refining instructed policy into the written law and taking every opportunity to improve the quality, consistency and integration of laws across the statute book. OQPC is responding to this challenge by:

- providing relevant advice
- developing relevant documentation for staff and for clients.

Ensuring access to justice

The office is responding to the challenge of ensuring that the community has access to justice by:

- providing an appropriate system of rules to govern our society





- ensuring legislation is conceptually easy to understand
- protecting the institution of Parliament and the rights and liberties of individuals—the fundamental legislative principles.

Performance

Delivery of the legislative program

Quantity of legislation delivered

In 2002–2003, the office drafted all of Queensland's Bills and subordinate legislation, other than exempt subordinate legislation.

In some cases, the legislation drafted followed drafts for national scheme legislation prepared under

the supervision of the Parliamentary Counsel's Committee (PCC), the national committee of the parliamentary counsel from all jurisdictions. It coordinates the drafting of legislation that, to some extent, requires uniformity across jurisdictions.

Legislation of particular significance drafted throughout the year, including some items provided through the PCC, is set out in the following pages.

During the year the office also drafted 15 private members' Bills that were introduced. Seventeen non-Government amendments for Bills were drafted by the office and tabled in the Legislative Assembly.

The office scrupulously maintains its duty of confidentiality to clients as required under the *Legislative Standards Act 1992*, section 9A.

TOTAL QUEENSLAND LEGISLATION 1998–2003 *

Year	Number of Acts Produced	Number of Act Pages Produced	Principal Acts Produced	Number of Acts Amended	Number of SLs Produced	Number of SL Pages Produced	Number of Acts & SLs Produced	Number of Acts & SL Pages Produced
1998–1999	55	2 669	16	368	335	3 991	390	6 660
1999–2000	84	5 029	27	583	384	3 679	468	8 708
2000–2001	85	4 966	33	602	285	2 785	370	7 751
2001–2002	79	3 891	26	405	375	2 739	454	6 630
2002–2003	95	4 645	27	527	360	3 369	455	8 014

* Figures in the table are the Acts assented to and subordinate legislation made by the Governor or departments. The number of Acts and subordinate legislation drafted is higher as indicated on page 2.



Significant legislation drafted

Animal and Plant Health Legislation Amendment Act 2002

- Enhances Queensland's legislative capacity to prepare for and respond to potentially devastating exotic terrestrial and aquatic animal diseases and the exotic economic and environmental pest, the imported red fire ant

Births, Deaths and Marriages Registration Act 2003

- Comprehensively reviews the laws governing the registration of births, deaths and marriages

Body Corporate and Community Management and Other Legislation Amendment Act 2003

- Legislation providing greater efficiency in processes involving body corporates

*****Child Protection (International Measures) Bill 2003***

- Legislation providing for Queensland's involvement in relation to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children

Civil Liability Act 2003

- Comprehensively reviews and reforms the laws of negligence, following the 'Review of the Law of Negligence Final Report'

Commercial and Consumer Tribunal Act 2003

- Comprehensively reviews and reforms the operation of four tribunals to create a single new tribunal supported by a central registry

Community Ambulance Cover Act 2003

- Legislation providing for the imposition and collection of a community ambulance cover levy to fund ambulance services for all Queenslanders

Community Services (Aborigines) Amendment Regulation (No. 1) 2003

- Legislation establishing a Community Justice Group for the Aboriginal community of Doomadgee

Community Services (Aborigines) Amendment Regulation (No. 3) 2002

- Legislation establishing a Community Justice Group for the Aboriginal community of Aurukun

Community Services Legislation Amendment Act 2002 Indigenous Communities Liquor Licences Act 2002

- Part of a package of reforms to address the prevalence of alcohol abuse in indigenous communities in Cape York and other parts of Queensland

Coroners Act 2003

- Comprehensively reviews and reforms the coronial system

Criminal Proceeds Confiscation Act 2002

- Legislation providing a comprehensive scheme to recover the proceeds of crime

Dangerous Prisoners (Sexual Offenders) Bill 2003

- Legislation providing for the continuing detention, control, care or treatment of sexual offenders

Domestic and Family Violence Protection Regulation 2003

- Legislation prescribing the conditions on which a person may be released from custody and prescribing when proceedings may be published

Electrical Safety Act 2002

Electrical Safety Regulation 2002

- Comprehensive legislation to ensure the safety of the community from all activities associated with electricity



Electricity Amendment Regulation (No. 3) 2002

- Legislation requiring the installation of electrical safety switches in residential premises to protect persons from injury or death caused by electrocution

Explosives Regulation 2003

- Comprehensive legislation to ensure safety of the community from activities associated with explosives

Food Production (Safety) Regulation 2002

- Comprehensive legislation providing for food safety schemes and programs for primary produce

Gaming Machine Regulation 2002

- Legislation about the control of gaming machines and the supervision and management of gaming

Gas Supply Act 2003

Gas Supply Regulation 2003

- Legislation promoting efficient and economical fuel gas supply and protecting customers in the reticulated fuel gas market

***Gene Technology Regulation 2002**

- Legislation complementing Commonwealth legislation and prescribing various matters about dealings with genetically modified organisms

Governors (Salary and Pensions) Act 2003

- Significant legislation that takes into account changes to the Commonwealth's vice-regal taxation exemption and anti-discrimination legislation by providing for the salary payable to a person holding the office of Governor of the State of Queensland and the pensions payable to former Governors and their surviving partners

Health Amendment Regulation (No. 1) 2003

- Legislation prescribing SARS (Severe Acute Respiratory Syndrome) as a notifiable disease

Juvenile Justice Amendment Act 2002

Juvenile Justice Regulation 2003

- Comprehensive review and updating of legislation for the administration of juvenile justice

Land Protection (Pest and Stock Route Management) Regulation 2003

- Legislation providing for the protection of economic, environmental and social values from the impacts of weeds and pest animals

Liquor Regulation 2002

- Legislation providing for applications for licences and permits under the *Liquor Act 1992* and stating the obligations for licensees and permittees

Liquor Amendment Regulation (No. 1) 2003

- Legislation providing for restricted areas for liquor consumption in the Aboriginal communities of Doomadgee and Napranum

Liquor Amendment Regulation (No. 3) 2002

- Legislation for restricted areas for liquor consumption in the Aboriginal community of Aurukun

Parliamentary Service By-Law 2002

- Legislation facilitating security arrangements for Parliamentary sittings held in Townsville

Pastoral Workers' Accommodation Regulation 2003

- Legislation providing for accommodation for resident and non-resident pastoral workers and duties of particular workers

Personal Injuries Proceedings Amendment Act 2002

Personal Injuries Proceedings Regulation 2002

- Legislation further reforming the laws governing personal injury



Plant Protection Regulation 2002

- Comprehensive legislation providing regulatory controls for preventing pest plant infestations

Plumbing and Drainage Act 2002

- Legislation establishing an updated legislative framework for plumbing and drainage and on-site sewerage facilities in Queensland

Queensland Building Services Authority and Other Legislation Amendment Act 2003

- Legislation significantly upgrading the ongoing maintenance of proper standards in the building industry

Racing Act 2002

Racing Regulation 2003

- Legislation implementing a new regulatory framework governing the Queensland racing industry

Research Involving Human Embryos and Prohibition of Human Cloning Act 2003

- Legislation addressing ethical and safety concerns about scientific developments associated with reproductive technology

Residential Services (Accommodation) Regulation 2002

- Legislation prescribing standard terms for residential service agreements

Residential Services (Accreditation) Regulation 2002

- Legislation to protect residents of residential services

Revenue Legislation Amendment Act 2002

- Legislation reducing opportunities for duty avoidance and ensuring the Commissioner can impose notification requirements for bulk end users under the *Fuel Subsidy Act 1997*

Sexual Offences (Protection of Children) Amendment Act 2003

- Legislation ensuring that sentences imposed on child sex offenders reflect the significant physical and psychological consequences of these offences

Sports Drug Testing Act 2003

- Legislation providing a legislative framework for the conduct of testing of State level athletes for the use of drugs or doping methods

Status of Children Regulation 2002

- Legislation dealing with parentage testing procedures

Statutory Instruments Regulation 2002

- One of the main tools used to maintain the Queensland Statute Book, this regulation refines the approach used to provide exemptions from automatic expiry for subordinate legislation

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 2002

- Legislation providing for the effect on superannuation of particular agreements and court orders under the *Family Law Act 1975* (Cwlth)

***Terrorism (Commonwealth Powers) Act 2002**

- Legislation referring to the Commonwealth-State powers necessary for the Commonwealth to be able to coordinate responses to acts of terrorism in Australia

Tourism Services Bill 2003

- Legislation addressing concerns about the provision of tourism services by inbound tour operators and tour guides



****Trade Measurement (Miscellaneous) Amendment Regulation (No. 1) 2003**

- Legislation dealing with temperature compensation of petrol and diesel fuel

Transport Infrastructure and Another Act Amendment Act 2003

- Legislation providing for a more structured accreditation system in relation to railway operators and railway managers

Transport Infrastructure (Dangerous Goods By Rail) Regulation 2002

- Legislation providing for a significant reduction of the risk arising from the transport of dangerous goods by rail

Transport Legislation Amendment Regulation (No. 1) 2003

- Legislation providing for the automatic suspension of a Queensland drivers licence if the holder of the licence is convicted of driving more than 40 km/h over the speed limit

Transport Legislation Amendment Regulation (No. 4) 2002

- Legislation providing for the collection of information about written-off vehicles and inspection of written-off vehicles that are repairable write-offs

Uniform Civil Procedure Rule (No. 1) 2003

- Legislation facilitating the introduction of electronic filing in the Magistrates Court

Vegetation (Application for Clearing) Act 2003

- Legislation halting the acceptance of any new applications for vegetation clearing pending consultations with stakeholders and finalisation of a major initiative to reduce clearing rates in Queensland

Water Resources (Barron) Plan 2002 Water Resources (Pioneer Valley) Plan 2002

- Legislation providing frameworks for sustainable water management in the plan area, the taking of the water, and reversing degradation in natural ecosystems

Weapons (Handguns and Trafficking) Amendment Act 2003

- Legislation reviewing and reforming the law about the possession of handguns

Weapons Legislation Amendment Regulation (No. 1) 2003

- A legislative reform package that included further restrictions on access to concealable handguns in Queensland as part of new uniform national handgun laws

Workers' Compensation and Rehabilitation Act 2003

Workers' Compensation and Rehabilitation Regulation 2003

- Legislation re-enacting the law governing workers' compensation

Workplace Health and Safety Amendment Regulation (No. 1) 2003

- Legislation providing for roll-over protective structures for wheeled tractors

** National scheme legislation from drafts provided by the Australian Parliamentary Counsel's Committee (PCC)*

*** National scheme legislation drafted by OQPC for the PCC*





Drafting support services

As well as drafting legislation, the office continued to provide a number of support services related to the:

- Bill to Act process
- subordinate legislation process.

Performing functions in the Bill to Act process

The office produces the versions of Bills required for passage through the Legislative Assembly and for assent. Under the Clerk's instructions, the office inserts into Bills amendments made in committee, consequential changes arising from the amendments, and other minor changes (commonly called 'slip errors').

Performing functions in the subordinate legislation process

- *Notification, publication and tabling.*
The office coordinates the notification, publication and tabling processes for subordinate legislation and related regulatory impact statements and explanatory notes. This includes the publication and notification of subordinate legislation in extraordinary gazettes for client departments.
- *Certification.* The office certifies subordinate legislation if it is satisfied the subordinate legislation is lawful and has sufficient regard to fundamental legislative principles. During the year, the office considered every instrument of subordinate legislation drafted by it before certifying it or refusing to certify it. If the office refuses to certify proposed subordinate legislation, the instrument must, under *The Queensland Cabinet Handbook*, be submitted to Cabinet before it is made.
- *Staged expiry of subordinate legislation.*
The office continued its role of monitoring

and responding to the expiry of subordinate legislation under the *Statutory Instruments Act 1992*. Exemptions from expiry are strictly limited and an exemption is renewable only on two grounds: first, that the subordinate legislation is substantially uniform or complementary with legislation of the Commonwealth or another State; second, that the Act or provision under which or in relation to which the subordinate legislation is made is subject to review.

If an exemption is renewed on the second ground, the responsible Minister must prepare, and table in the Parliament, a report stating how the Act or provision is subject to review. If the review is still being undertaken, the report must state the extent to which the Act or provision is being reviewed and when the Minister expects the review to end.

The office continued its project to identify:

- amending subordinate legislation made before 30 June 1994 that will expire under the *Statutory Instruments Act 1992*, part 7
- commencement proclamations made before 31 December 1994 that will expire under the *Statutory Instruments Act 1992*, part 7.

The office expects to finalise this project in the coming financial year.

Delivery of a drafting product of the highest standard

The office is committed to providing high quality legislative drafting services and advice in a professional, impartial, and responsive way. During the year the office sought the views of government departmental clients as to the quality



of its legislative drafting services. Clients were surveyed in rotation each quarter.

The survey measured client satisfaction in four areas:

- the drafting process
- advice on alternative ways of achieving policy objects
- advice on the application of fundamental legislative principles
- the drafting product.

The office achieved an overall satisfaction rate of 92% from the responses received. The target is 85%.

The drafting process

OQPC aims to ensure high client satisfaction in relation to the processes it adopts in providing drafting services by:

- being responsive to clients
- providing drafts of legislation as required
- ensuring agencies are well informed at all stages of the drafting process
- providing comprehensive advice on general drafting and legislative matters.

During the 2002–2003 financial year the office achieved an average score of 93% client satisfaction in its survey for this area.



Advice on policy

Under the *Legislative Standards Act 1992*, section 7, OQPC has a specific function to provide advice on alternative ways of achieving policy objectives. This involves an overall assessment of all relevant matters, which may include:

- the translation of policy proposals into workable legislative schemes
- the most appropriate instrument to be used
- the types of provisions that may be used and the established or traditional government position in relation to particular provisions
- how the presentation of a law can make it user-friendly.

During the 2002–2003 financial year the office achieved an average score of 92% client satisfaction for this area.

Advice on fundamental legislative principles (FLPs)

Under the *Legislative Standards Act 1992*, section 7, OQPC has a specific function to provide advice on the application of fundamental legislative principles (FLPs). This may include advice on:

- the operation of FLPs
- the existence of a potential breach of FLPs
- ways to avoid or minimise a potential breach of FLPs.

During the 2002–2003 financial year the office achieved an average score of 93% client satisfaction in its survey for this area.

The office is only one player in the legislative processes of government and its role is limited. It welcomes the support of the advisory role provided by the Scrutiny of Legislation Committee, a parliamentary committee, and strives to keep instructors fully informed of the committee's concerns. During the year the office continued to



work with departments to encourage compliance with FLPs by developing provisions that achieve both policy objectives and compliance with the principles. This approach minimises the need for the Scrutiny of Legislation Committee to take action in its role of monitoring the quality of legislation.

What are FLPs?

FLPs or fundamental legislative principles are defined in the *Legislative Standards Act 1992* as ‘the principles relating to legislation that underlie a parliamentary democracy based on the rule of law’. They include the requirement that legislation has sufficient regard to the rights and liberties of individuals and the institution of Parliament. Section 7 of the Act makes particular mention of OQPC’s role of advising on the application of FLPs to proposed legislation.

The overall drafting product

Under the *Legislative Standards Act 1992*, section 3, the office was established to ensure that Queensland legislation was of the highest standard. The involves ensuring the drafting product is:

- clear and simple
- effective in its implementation of government policy.

During the 2002–2003 financial year the office achieved an average score of 93% in its survey of client satisfaction for this area.

Drafting style

OQPC continued to use plain English drafting styles in accordance with the policy it adopted in 1991. OQPC’s commitment to plain English is an integral part of the office’s goal to improve access to justice through more effective communication of legislative rights and obligations.

This policy takes a commonsense approach: application of plain English principles does not involve the simplification of a law to the point it becomes legally uncertain. In particular, care is taken to avoid creating legal uncertainty by dispensing with terms with established meanings for legislative users.

The office is currently reviewing the style of legislation (how it is presented on the page). Particular attention is being paid to plain English styles, modern standards and how other jurisdictions present legislation.

What is plain English?

- The deliberate use of simplicity to achieve clear, effective communication while maintaining the degree of complexity necessary to achieve desired policy objectives
- Attention to appearance and presentation to enhance understanding

Quality assurance processes for legislation

OQPC uses several processes to ensure that legislation is of the highest possible standard. Drafters use a peer review process in which two drafters work on each piece of legislation—one drafts and the other reviews. The draft legislation is also checked by legislation officers who proofread, polish the format, and prepare the instrument for passage through Parliament. Legislation officers also use a peer review process in the preparation of reprints (consolidations of legislation).

High level of accuracy

In keeping with its aim of producing legislation of the highest standard, the office records the number of errors in both the drafting and reprint product. The level of error is difficult to ascertain with



precision as errors may not be discovered for many years after the legislation is published. The office collects statistics on the number of pages in the current financial year that contain corrections of errors made at any time since 1 July 1999. During the 2002–2003 financial year less than 1% of pages contained corrections.

Other matters

Under the *Legislative Standards Act 1992* the office has a key function to ensure that the Queensland statute book is of the highest standard. A well maintained, high quality statute book significantly enhances access to legislation by making it easier to find in an up-to-date form, and easier to use and understand.

Using the Reprints Act

During the year the office continued to use the *Reprints Act 1992* to apply editing techniques to improve legislation, however since the statute book was first translated to an electronic database the editing of legislation has significantly diminished. This is due to the consistent application of modern drafting techniques and the ongoing effect of computerisation.

Reprints Act powers are currently applicable only to reprints published in hard copy. Electronic updates to reprints do not incorporate editorial changes made under the Reprints Act other than very minor consequential amendments.

Low level of exempt instruments

Under the *Legislative Standards Act 1992*, section 7, the office has a function to draft all proposed subordinate legislation, other than exempt subordinate legislation. Exempt subordinate legislation is a statutory rule, other than a regulation, declared to be exempt subordinate legislation by an Act or a regulation under the *Legislative Standards Act* [see section 2, Definitions].

The list of provisions that provide for exempt subordinate legislation is short:

University statutes

- *Central Queensland University Act 1998*, section 58
- *Griffith University Act 1998*, section 62
- *James Cook University Act 1997*, section 58
- *Queensland University of Technology Act 1998*, section 57
- *University of Queensland Act 1998*, section 53
- *University of Southern Queensland Act 1998*, section 57
- *University of the Sunshine Coast Act 1998*, section 60

Other

- *Judges (Salaries and Allowances) Act 1967*, section 12 [determination about salaries and allowances]
- *Public Trustee Act 1978*, section 17(6) [gazette notice fixing fees and charges].

The parliamentary counsel is empowered under the *Legislative Standards Act 1992*, section 9, to issue guidelines for drafting practices that are to be observed by persons drafting exempt instruments (which include exempt subordinate legislation and local laws). The office has published guidelines for drafting university exempt instruments and local government exempt instruments.

Documentation

The office continues to maintain significant in-house documentation of drafting practices, precedents and information. During the 2002–2003 financial year the office substantially reviewed *The Queensland Legislation Handbook*—part of the Governing Queensland suite of handbooks about government in Queensland—for republication in the next financial year. Also



undergoing preparation for publication to government officers next year is a substantial documentation of the operation of fundamental legislative principles in Queensland legislation.

Future challenges

- Implementing an updated style and format for Queensland legislation. The office has reviewed the style and format of Queensland legislation in line with improvements made in other jurisdictions and plans to consult further and then

implement appropriate changes in the next financial year

- Continuing to improve and document drafting standards, practices, precedents and procedures
- Publishing an updated version of *The Queensland Legislation Handbook*
- Publishing to government officers substantial documentation on the operation of fundamental legislative principles in Queensland legislation



Publishing services

Our goal

To ensure Queensland legislation is readily available by providing responsive publication, advisory and information services

Challenges

Meeting community and international needs for access to legislation

Authorised versions of legislation are prepared by the office and published by Goprint. However, more and more people are using the Internet to access electronic versions of legislation, and changes to the *Evidence Act 1977* mean that courts have an option to rely on electronic versions of legislation. The challenge for the office is to achieve electronic versions of legislation of equal integrity and security to hard-copy versions. OQPC is responding to this challenge through:

- maintaining a database that allows point-in-time access to legislation
- continually improving accessibility to the office's web site.

Increasing client awareness of available services and responding to client needs

In keeping with its commitment of enhancing access to justice, the office must continually explore ways of helping clients to be aware of services and information. OQPC is responding to this challenge by:

- inviting a client focus group to comment on specific issues in order to better respond to client needs
- conducting information sessions.

Ensuring access to justice

OQPC's ability to respond to the challenges above assists in ensuring the community has access to

justice, that is, the ability to locate and understand the rules that govern our society.

Performance

Providing up-to-date legislation

Timely access

The office met 100% of mandatory deadlines and 100% of other deadlines for printed legislative publications. This performance measure counts the percentage of printed publications prepared in time to meet supply to Goprint or the Table Office for printing, and 'whites' and 'blues' supplied to drafting clients.

The office published 98% of electronic reprints within two weeks of the commencement of amendments to the reprints. The office target is 75%.

Hard-copy reprint bestsellers (as identified by Goprint) include the following:

- *Body Corporate and Community Management Act 1997*
- *Criminal Code Act 1899*
- *Environmental Protection Act 1994*
- *Industrial Relations Act 1999*
- *Integrated Planning Act 1997*

Queensland legislation series

Under the current system for official publication of Queensland legislation, legislation is printed by the government printer and authorised by the parliamentary counsel.

Reprints series

In the 2002–2003 financial year 165 hard-copy reprints (18 138 pages) were published for inclusion in the Queensland Legislation Reprints series.



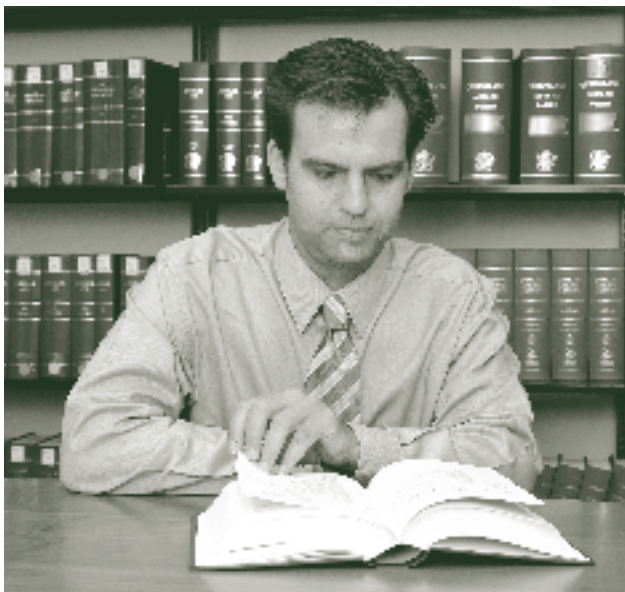
The office also prepared 965 electronic reprints (116 376 pages). Although electronic reprints are not yet recognised as ‘authorised’ under the *Reprints Act 1992*, they provide users with a convenient reference document.

Since 1 July 2002, the office has prepared an electronic reprint for each day of change. This means having an electronic reprint available for each date on which an amendment to a piece of legislation commences. The office’s web site now effectively provides a ‘point-in-time’ database of legislation.

Revision notices have been updated to include the date of issue of the notice as well as the date of the reprint to which it applies. A revision notice may be issued for several reasons including:

- to correct an error made in a hard-copy reprint
- to indicate retrospective amendments relevant to a hard-copy reprint
- to publish other relevant information.

Revised editions of reprints are prepared to include amendments arising from revision notices or retrospective amendments.



Acts as passed series

The office publishes ‘Acts as passed’ as soon as they are assented to. The Acts are published in numbered pamphlet form and are available for sale or subscription from Goprint.

The Queensland Legislation Reprints series (hard-copy reprints) is authorised under the *Reprints Act 1992* and contains reprints of Acts and subordinate legislation (both reprints of unamended legislation and consolidations of amended legislation). Reprints are prioritised taking into account factors such as:

- the importance of the legislation as identified by clients
- the imminent repeal of the legislation
- the likelihood of further amendments in the near future
- the importance of any amendment not yet included

Subordinate legislation series

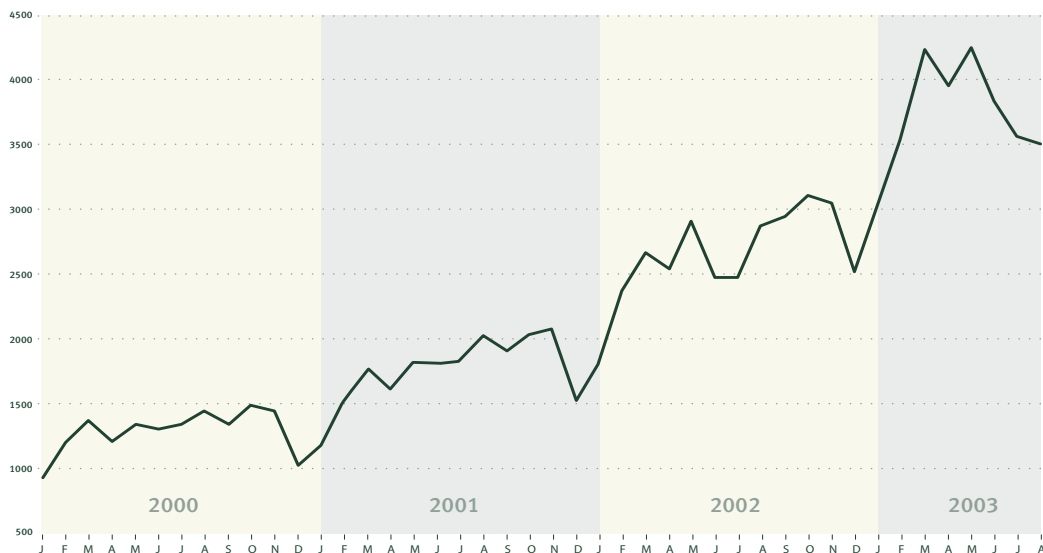
The office continued to publish the subordinate legislation series. The series consists of numbered pamphlet copies of subordinate legislation made from 1 July 1991. Subscribers receive the pamphlets immediately after subordinate legislation is made or approved. Copies of the subordinate legislation are also available for purchase from Goprint. As part of the series, weekly and monthly tables of subordinate legislation are published.

Annual volumes

Each year, the office publishes annual volumes of Acts, subordinate legislation, and explanatory



NUMBER OF VISITORS PER WEEKDAY FOR OQPC WEBSITE



notes for Bills. Extrinsic material, such as the explanatory notes, can be used in the interpretation of legislation under the *Acts Interpretation Act 1954*, section 14B.

The volumes are an invaluable tool for historical research into Queensland law, providing access to Queensland legislation in its original form. Endnotes to Bills and Acts published in the annual volumes include information about their passage through the Legislative Assembly. In the annual volumes of subordinate legislation, the text of regulatory impact statements and explanatory notes prepared for significant subordinate legislation made during the year is included.

Access to electronic legislation

The office provides free public access to up-to-date Queensland legislation and legislative information on its website <www.legislation.qld.gov.au>.

Files on the web site are prepared in PDF and locked to ensure file integrity. The PDF files provide easy access to a range of Queensland legislation and legislative information, including:

- Bills and their explanatory notes
- amendments in committee and their explanatory notes
- Queensland Acts as passed (from June 1991)
- subordinate legislation as made (from July 1991) with associated regulatory impact statements and explanatory notes
- electronic reprints (including revised, superseded and repealed versions)
- an annotated history of current Queensland legislation
- information about repealed legislation
- updates to current and repealed legislation
- guidelines for drafting local laws and subordinate local laws
- guidelines for university statutes
- information about changed citations and remade laws
- information about changed names and titles in legislation
- information about the automatic expiry of subordinate legislation
- the office's reprinting policy.



An automatic mailing system enables clients to register for automatic email notification of weekly changes to legislation files on the site.

The office also provides its legislation database free of charge to the Queensland Police Service and AUSTLII (University of New South Wales). Included with the service are weekly updates.

The office sells files from its legislation database to three commercial providers: LexisNexis, Goprint, and TimeBase Pty Ltd. These commercial providers repackaging the legislation and add contextual information, further extending access to the legislation.

Providing information about legislation

Queensland Legislation Annotations

The *Queensland Legislation Annotations* is the major printed legislative information publication produced by the office. It provides information to help users easily research the history of Queensland legislation. The *Queensland Legislation Annotations* is divided into two volumes—one for current legislation and the other for repealed legislation.

The current legislation volume of the *Queensland Legislation Annotations* is published every six months and provides comprehensive information about all current Queensland legislation. Included in the volume are:

- commencement dates
- details of amending legislation
- changeover and transfer dates
- information about the expiry of provisions
- information about reprints
- explanatory notes about the saving of subordinate legislation after the repeal of the empowering Act.

The repealed legislation volume of the *Queensland Legislation Annotations* is published annually. Information in this volume includes information about:

- repealed Queensland legislation
- New South Wales Acts no longer applying in Queensland
- Imperial legislation no longer applying in Queensland.

An up-to-date annotated history of current State legislation and tables of repealed legislation can also be found on the office's web site.

Weekly Update to Queensland Legislation

The office publishes the *Weekly Update to Queensland Legislation*, which shows weekly changes in Queensland legislation and is designed to complement the information on the office's web site. The update meets the office's commitment to provide a hard-copy publication for clients who either do not have Internet access or prefer accessing information in hard-copy form.

Tables of changed laws and references

The table of changed citations and remade laws and the table of changed names and titles in legislation make it easy for legislation users to keep track of changes in legislation.

The office prepares and regularly updates two documents that provide a way to track changes.

- The table of changed citations and remade laws lists in one place citations that have changed and laws that have been remade.
- The table of changed names and titles in legislation lists in one place names of things that have changed.



Legislation is frequently amended or replaced and, as a result, the names of things may be changed or existing things may be replaced by other things.

Client focus

Client focus group

The Office of the Queensland Parliamentary Counsel's client focus group includes members of:

- the Queensland Bar Association
- the Queensland Law Society
- the Australian Law Librarians Group (Qld)
- the Parliament House Library
- Queensland law schools
- the State Library of Queensland
- Goprint
- government departments, including the Department of the Premier and Cabinet, the Department of Justice and Attorney-General, the Department of Primary Industries, and the Department of Transport

During the year, the office continued to meet with its client focus group on publishing matters. The meetings provide an effective way for the office to ensure it is meeting client needs and providing the best service it can to all of its clients. They also provide members of the group with an opportunity to make comments and suggestions they may have about the office and its services.

The focus this year was the office's point-in-time database. The main features of the database are:

- the preparation of a reprint for each effective date of change
- revised editions of reprints to include further material that affects existing material, for example, a correction or retrospective provision.

Awareness of OQPC and its role

The office uses information sessions to raise awareness of its role and functions and to provide opportunities for clients to provide feedback about the office's services and products.

In 2002–2003, the office presented:

- four information sessions about OQPC and preparing effective drafting instructions. These information sessions for instructing officers were presented as part of the Institute of Public Administration Australia's course Turning Policy into Legislation and as part of in-housing training programs at the Department of Health and the Department of Natural Resources and Mines
- an information session about OQPC and its role as part of an in-house training program at the Queensland Fire and Rescue Service Authority
- three information sessions about OQPC and its role as part of the Department of the Premier and Cabinet's staff induction program
- an information session about the office's publishing and information services to the Queensland branch of the Australian Law Librarians Group.

Youth Parliament

The Youth Parliament is a project developed by the State Council of YMCAs of Queensland. Each year the Youth Parliament provides young Queenslanders with the opportunity to:

- express their views, through a State Forum, on matters important to them
- provide the State Government with 'Youth Acts' that express the concerns and expectations of youth and that could be acted on by the government
- gain public speaking and debating skills and develop an interest in their own parliamentary system by actually being involved in a simulated parliamentary process.



The Youth Parliament sat during the September school holidays. The sittings took place at Parliament House, with the consent of the Honourable Speaker of the Legislative Assembly.

Each year the office provides support for the Youth Parliament by:

- helping to develop and format Youth Bills and their explanatory notes for introduction into the Youth Parliament
- supplying Youth Bills and explanatory notes to the Youth Parliament
- helping with the Bill to Act process for Youth Bills passed by the Youth Parliament.

Youth Acts passed by the Youth Parliament in 2002–2003 included:

- the *Arts Festival Youth Act 2002*
- the *Disability Access Standards Enforcement Youth Act 2002*
- the *Young Offender Reform Program Youth Act 2002*
- the *Youth Psychosocial Wellbeing Assessment Youth Act 2002*

Feedback and information services

Telephone and email information services

The office continued to provide information and assistance through both its telephone and email services. The office has operated the general enquiry telephone line since 1994.

The email enquiry service, <legislation.queries@oqpc.qld.gov.au>, was started in 1998 and gives clients the opportunity to provide feedback about the office and its services as well as to seek information or assistance.

EMAIL QUERIES ANSWERED

Year	Email queries answered
1998–1999	435
1999–2000	816
2000–2001	1 032
2001–2002	920
2002–2003	678

Future challenges

- Raising the awareness of OQPC, its role and services
- Continuing the strategy to inform and educate clients
- Working towards making the style of Queensland legislation more uniform with the legislation of other jurisdictions
- Adding more links on the office's web site to offer clients access to a wider range of information related to legislation
- Continuing to work with the client focus group to improve existing legislative information publications

Our staff

Our goal

To optimise our staff's contribution to the achievement of the office's and the government's goals

Challenges

Best practice management to ensure retention and development of staff

The drafting and publishing of legislation is highly specialised work that requires specific training and experience. The office aims to create a rewarding environment where staff can develop their skills and further their experience.

While there tends to be some staff changeover at more junior levels, the challenge is to ensure OQPC maintains a full complement of highly trained and skilled staff. OQPC is responding to this challenge by:

- recognising staff as the office's most important resource
- using best-practice human resource management systems
- using a system of office forums and meetings to involve staff in decision-making, planning and feedback
- encouraging staff to use a client-focused approach.

Recognising and developing staff performance to meet the increasing demand for services

OQPC uses a performance development system to support staff in the performance of their duties and assist them to deal with the demands of a changing work environment.

Promoting a workplace culture that encourages flexibility, equity and diversity

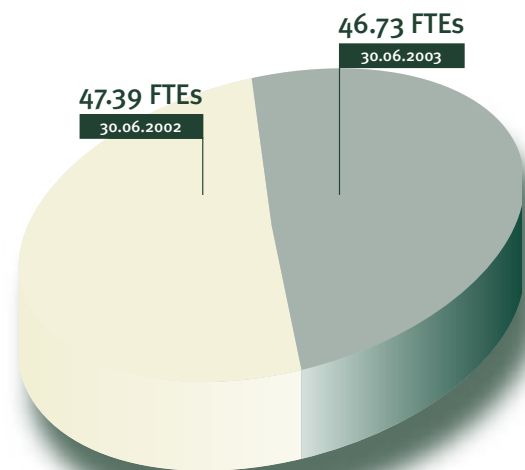
The office continues to support the principles of workplace diversity, complying with relevant legislation and providing more opportunities for staff.

Ensuring staff have the appropriate skills, knowledge and resources to perform their duties

One of the ways in which OQPC is responding to this challenge is by implementing and continually improving training programs in order to maintain high levels of skill and respond to the need to train new staff as quickly and effectively as possible.

Performance

Investing in people



OQPC staffing levels

Figures represent establishment minus vacancies, plus secondments and full-time equivalents (FTEs) for temporary and part time staff

Decision-making, planning and feedback

The office recognises that staff are its most valuable resource and that their contribution is fundamental to achieving a rewarding working environment and quality services for clients.



Staff contribution is encouraged in three ways:

- the office is organised into teams with line-management responsibilities
- staff participate through whole-of-office committees for areas including training, information technology, the office newsletter, publishing practices, drafting practices, workplace health and safety, and office management
- regular forums are held so that all staff have the opportunity to participate in decision making, planning and feedback.

Internal communications were enhanced during the year through a major revision of OQPC's intranet. The intranet has been restructured to enable staff to more easily access local, Department of the Premier and Cabinet (DPC) or whole-of-government information.



During the 2002–2003 financial year the office embarked on a review of non-drafting positions in the office. The review is a response to changing priorities in the office and in the public sector. Also, it was seen as an opportunity to incorporate more variety into some roles and therefore assist the retention of skilled staff. The review is expected to be completed and implemented in the next financial year.

Workplace health and safety

The office's Workplace Health and Safety Committee continued to monitor workplace health and safety and ensure the office complied with the standards. The committee, consisting of staff from OQPC and a representative from DPC, met regularly throughout the year to deal with issues. Staff were reminded about workplace health and safety through:

- a display of new workplace health and safety posters from DPC
- publication of emergency procedures in an all-office email and in the internal newsletter.

Retention of staff

OQPC tends to have a very stable staff structure with turnover usually occurring at the lower levels. Staff who do move on to other agencies are generally promoted to higher positions, perhaps indicating the high regard of the OQPC training and experience.

Performance development system

The performance and ongoing development of all staff is managed through participation in a performance development system (PDS). Staff prepare personal planning and achievement documentation and personal development plans and meet with their supervisors to discuss performance and to plan training and personal development. The PDS process provides a formal feedback process that is supplemented by informal sessions during the year.

Updating of induction manual

During the 2002–2003 financial year, OQPC revised its induction program and upgraded it to an interactive online format.



Rewards and recognition

OQPC submitted several nominations to the Department of the Premier and Cabinet's annual Achievement Awards. This year five members of staff were mentioned as members of teams who were recognised for excellent achievement in one of the five award categories of innovation, client service, promoting diversity, leadership and collaboration, and knowledge sharing. The award-winning projects in which OQPC staff participated were:

- the Internet broadcast of the Parliament initiative lead by e-Democracy Unit in the innovation category
- the Regional Parliament project in the leadership and collaboration category
- the Queensland Government response to terrorism project in the leadership and collaboration category.

The parliamentary counsel was awarded a Centenary Medal by the Governor-General for distinguished service to the public sector.

Training

During the financial year, OQPC continued to provide internal and external training opportunities for staff. Staff personal development plans were used to identify training needs and the office's training team worked with a human resources officer from the Department of the Premier and Cabinet to organise training.

The office operates a system of on-the-job training not unlike an apprenticeship. A junior officer works with a senior officer so that the necessary skills are passed on and there is a quality control check of all work. It takes a considerable time before drafters and legislation officers are fully trained. The training process is complemented by a series of manuals that contains checklists and document procedures.

O Q P C T R A I N I N G U N D E R T A K E N

Internal Training

Legal research skills
Grammar
Presentation skills
Organising yourself at work
Privacy
Bullying
Code of conduct

External Training

Parliamentary processes
Emotional intelligence
Asset management
Speed reading in the workplace
First aid
SAP training (Department's financial package)
Leadership
Commonwealth Association of Legislative Counsel conference
Experiential leadership development program
The Contact Officer - Introductory
Open Publish 2002
Certificate IV in Assessment and Workplace training
Dealing with difficult people and situations
Recruitment and selection
SARAS
Magic minutes
Proofreading
National Competition Policy - Best practice for government
Writing skills
How to get that job
Internal controls and risk management
Use of copyright material for services of government
Taking control of time
Department of the Premier and Cabinet corporate induction



Due to the nature of its work, the office conducts internal specialised training in two areas:

- *IT training.* The drafting and publication of legislation involves the use of specialised software, so the office conducts regular IT training to ensure all staff are fully competent. Training is conducted for small groups in the IT training room and individual assistance is also provided through a ‘help desk’ service. IT training is included in the induction of new staff.
- *Library training.* OQPC operates a small but comprehensive legal library that is used by staff and some other government agencies. The library technician assists staff on an individual basis and also runs some group training sessions. During the year training on using online legal research services was offered.

Participation in public sector activities

Agency Consultative Committee

OQPC continued to participate in the Department of the Premier and Cabinet’s Agency Consultative Committee (ACC) through the attendance of two staff members on the committee. ACCs were formed in all government agencies to manage the implementation of the *State Government Departments Certified Agreement 2000*.

They include a representative from management and a union representative from each area of the department. In the latter part of the 2002–2003 financial year, the current agreement expired and negotiations took place for the next agreement.

Our accountabilities

Workplace diversity

OQPC continues to support workplace diversity in accordance with legislation including the *Equal Opportunity in Public Employment Act 1992*, *Anti-Discrimination Act 1991*, *Public Service Act 1996*, *Racial Discrimination Act 1975* (Cwlth), *Sex Discrimination Act 1984* (Cwlth), and the *Disability Discrimination Act 1992* (Cwlth). During the year, the office responded in the following ways:

- *Human resource management systems.* The office uses best-practice HR systems and practices to support the management of diversity.
- *Flexible working practices.* The office recognises the link between employees’ ability to balance work and life priorities and the office’s achievements. The availability of flexible working practices is beneficial for both parties: the office is able to retain highly-skilled staff and officers are able to better manage family responsibilities or other commitments. During the financial year three officers continued to work on a part-time basis and one officer telecommuted.
- *Organisational climate.* The office is aware of the importance of a happy and productive working environment. Information sharing and involvement in decision-making is promoted through office forums and meetings, a weekly electronic newsletter and the intranet. The review of non-drafting positions in the office provides an opportunity to incorporate more diversity into some roles.
- *Equal opportunity and anti-discrimination.* The office has adopted equal opportunity and anti-discrimination principles and provides regular training to ensure staff



are fully aware of their responsibilities. Like all other government agencies, OQPC has zero tolerance of bullying and all staff attend annual seminars on this subject.

- **Career management.** OQPC encourages senior managers to undertake targeted leadership and management training, and actively supports training for all staff to enhance career prospects.
- **Queensland Government employment targets.** OQPC has a commitment to working towards the employment targets for groups identified as currently under-represented in the public sector employment profile (Aboriginal and Torres Strait Islanders, women in management positions, employees with a disability, and non-English speaking background employees).

The *Department of the Premier and Cabinet's Diversity Plan 1999–2002* set a 25% SO/SES target for women in management by 2000 and a 35% target by 2005. OQPC currently has 28% of women at SO/SES level.

STAFF BY CLASSIFICATION AND
GENDER AS AT JUNE 2003

Classification	Males	Females	Total	% Female Staff
CEO	1	0	1	—
SES	5	1.5	6.5	23%
SO2	4	2	6	40%
PO5–PO6	4	2.83	6.38	41%
PO3–PO4	1	4	5	80%
A07–A08	1	1.4	2.4	58%
A05–A06	3	1	4	25%
A02–A04	5.5	9.5	15	63%
TOTALS	24.5	22.23	46.73	48%

Public Sector Ethics Act

As part of their induction, all new staff receive training about the *Public Sector Ethics Act 1994*, the application of ethics principles and obligations, the contents of the office's code of conduct, and the rights and obligations of officials in relation to contraventions of the code of conduct.

OQPC publishes its own code of conduct and makes this available in both printed and electronic form. During the year the office conducted a code of conduct refresher course that was attended by all staff. The office also reviewed the code of conduct and made revisions where appropriate. The new approved version of the code will be available in the 2003–2004 financial year. Copies of OQPC's code of conduct are available on request.

Whistleblowers Protection Act

During the 2002–2003 financial year the office dealt with one disclosure of suspected official misconduct, which was substantially verified.

Overseas travel

No staff members of the Office of the Queensland Parliamentary Counsel travelled overseas during the financial year.

Consultancies

The office engaged no consultants during 2002–2003.

Community engagement

The office supports the government priority of community engagement and a better way of life through the provision of legislation and access to legislation. Legislation supports the democratic process that underpins our way of life, so access to legislation is an intrinsic part of engaging with the community. In 2002–2003



the office's community engagement activities included:

- providing up-to-date legislation to the community free through its web site <www.legislation.qld.gov.au>
- providing, as part of the drafting process, consultation drafts of legislation enabling the community to participate in policy processes
- consulting with a client focus group on publishing accessibility issues
- participating in the Youth Parliament
- providing training and information sessions to various groups, enabling them to better understand legislation and how to access it.

Multicultural activities

The Office of the Queensland Parliamentary Counsel supports the implementation of the Government's *Multicultural Queensland Policy* by supporting the recognition of multicultural issues in the drafting of legislation. Legislation drafted during the financial year that recognised multicultural issues included:

- *Child Care Act 2002*—declares that the Act is to be administered, and licensed services provided, so that child care is planned and provided in a way that reflects the multicultural and multilingual nature of the community
- *Coroners Act 2003*—requires a person taking a body to a mortuary to comply with the guidelines about the cultural traditions or spiritual beliefs of persons at the place where the body is, and requires the coroner to consider the distress an autopsy may cause to families due to cultural traditions or spiritual beliefs
- *Discrimination Law Amendment Act 2002*—expands the law's recognition of genuine domestic relationships
- *Domestic Violence Legislation Amendment Act 2002* (commenced into effect 10 March 2003)—expands the meaning of key terms 'intimate personal relationship' and 'relative' to have regard to cultural tradition

- *Housing Act 2003*—declares the Act is to be administered in a way that has sufficient regard to the community's social diversity and the need to provide housing services that are appropriate having regard to cultural diversity
- *Juvenile Justice Regulation 2003*—requires the chief executive, in relation to a child being admitted to a detention centre, to have an interpreter, or other person able to communicate with a child, explain particular information to the child.

Future challenges

- Publishing a revised version of OQPC's code of conduct in both electronic and hard-copy form
- Completing the review of non-drafting positions in the office and implementing changes designed to better respond to changing priorities in the public sector and office, and to offer more variety of work
- Continuing to research and develop reward and recognition systems in line with other organisations
- Documenting workflow and undertaking succession planning as part of HR planning processes
- Continuing to support diversity objectives by exploring opportunities for part-time work and encouragement of groups (through possible traineeships or employment) in the government's targeted diversity areas
- Continuing to participate in whole-of-government initiatives to ensure OQPC contribution and benefits

Office systems

Our goal

To deliver reliable and timely information technology and other process management systems, supporting emerging organisational needs of the OQPC

Challenges

Implementing a risk management strategy for the office

OQPC is responding to the challenges of a changing work environment by continuing to integrate risk management into office processes.

Ensuring office systems and work practices support the office's goals

OQPC is required to meet both the requirements of whole-of-government policies and standards, and internal needs. The office is responding to this challenge by:

- taking a proactive approach and using careful planning to meet these requirements in a timely manner
- implementing appropriate corporate governance procedures
- adopting best-practice information management practices.



Continually improving information technology services

Large workloads and tight deadlines mean that OPQC must be proactive in increasing efficiency. The office is responding to this challenge by:

- keeping track of, and responding to, rapid developments in information technology
- continually reviewing and improving office computer systems in the context of their impact on the efficient production of legislation and accessibility of legislation
- maintaining awareness of software developments in other offices of parliamentary counsel in Australia and overseas to share information and ensure a degree of consistency across jurisdictions
- engaging specialised assistance, where appropriate, for specific developmental work.

Performance

Information management

Computer systems and web site

During the 2002–2003 financial year the office consolidated its information technology framework with a view to planning how to best meet the office's current and future needs.

Evaluation of operating environment

During the financial year the office comprehensively reviewed its computer operating environment, which has been in place for a decade. The office has worked with the Department of the Premier and Cabinet to construct a business case that looks at the office's future options, including the option to bring the office into closer alignment with the department's operating environment. The business case should be finalised in the next financial year.



Adobe FrameMaker

Further customisations have been made to FrameMaker, the office's drafting and publishing software, in response to specific office needs. FrameMaker continues to prove its value in its ability to handle large documents, and be easily automated.

Microsoft Office suite of core applications

The office has made a number of core Microsoft applications available to staff to enhance communication between the office and other government agencies.

OQPC's web site

Further improvements have been made to the web site, particularly in the area of accessibility.

Changes include:

- improved tags and updated links to support sites to enhance access to the site by visually impaired users
- the inclusion of explanatory notes to amendments in committee in the Bills page, assent dates for Acts as passed and notification and tabling dates for subordinate legislation
- changes to the layout of the subordinate legislation and Acts web pages so that users have more choices about how they access legislation
- updating of privacy information
- continuing improvements to the look and feel of the site, while bringing it more into line with the government's consistent user experience (CUE) initiative.

OQPC's policy of changing the photograph on the homepage of the site each week continues to receive very favourable comments, with site users from other parts of Queensland sometimes sending in photographs for publication to ensure a comprehensive coverage of the State.

OQPC's intranet site

The office has completely revised its intranet site enabling staff faster access to internal and whole-of-government information.

Database development

OQPC has engaged a contractor to assist with the development of a relational database. The office uses a large number of separate databases to prepare, archive, measure, report, and publish its work. Linking these databases will enable the office to run more complex reports that will assist in work planning and performance reviews. During the financial year all existing databases were thoroughly researched in terms of their ongoing value and efficiency, and the contractor has delivered the first part of the new database structure.

Closer liaison with DPC's Information Services (IS) branch

OQPC has forged much closer links with the Department of the Premier and Cabinet's IS branch. OQPC is benefiting from the closer relationship in many ways across a broad range of IT requirements:

- OQPC has access to a larger group of IT skills and support structures (that is, help desk and training).
- It is more cost effective for OQPC to join with DPC for some licensing and network agreements.
- OQPC can work with specialised DPC IT staff on complex issues such as network security and the safe transfer of confidential documents.
- OQPC can be more focused on application layer support and its relationship to legislation processes.

Involvement in whole-of-government IT initiatives

OQPC staff participate in working groups on the consistent user experience (CUE) for



government web sites, the web steering committee, and Access Queensland (now SmartService Queensland).

Participation in annual IT forum

In July 2002 the annual offices of parliamentary counsel's IT Forum was held in Sydney. The forum is one of the key ways that offices in Australia and New Zealand share information about information technology, industry trends, and other key office systems, thereby resulting in greater uniformity of systems and cost savings. Both IT staff and a senior drafter attended from the Queensland office and presented an update on the current status of IT developments at QQPC.

Records management

On 30 June 2003, QQPC submitted its Strategic Recordkeeping Implementation Plan (SRIP) in accordance with State Archives' guidelines. The SRIP is one of the requirements of Information Standard 40 (Recordkeeping), which sets out new standards for State Government agencies arising from the *Public Records Act 2002*.

Other achievements during the year include:

- development of a corporate thesaurus that includes QQPC's specific business needs
- incorporation of most existing files into the office's new recordkeeping system
- inclusion of the records management database in the relational database project so that it will form the backbone of file management in the office
- development of an appropriate electronic file structure using the categories of the corporate thesaurus so that the move to increased electronic storage of office documents can progress.

Library

Early in 2002 the library collection management policy was completed and is now used to guide management of QQPC's legal library. Other achievements in the library during the year include:

- consolidation and review of resources in accordance with the library collection management policy
- improvements to the presentation of library resources in QQPC's weekly internal newsletter
- research into a disaster recovery plan for the library
- participation in the whole-of-government review of strategic information management
- completion of a report on library environmental standards.

Risk management

During the 2002–2003 financial year the office did a major review of risk management in all aspects of the office's work. DPC's Audit and Evaluation Services and Information Services branches assisted the office with the review resulting in the following achievements:

- All aspects of risk management for information technology have been explored, with some new procedures developed.
- Risk management of recordkeeping was undertaken as part of the process of preparing the SRIP.
- QQPC's policy on risk management of reprints continues to be observed.
- All office projects have been assessed from a risk management perspective and recorded in an overall risk management plan.
- QQPC's strategy of documenting and reviewing office procedures continues to prove its value as a basic risk management tool.



An integral part of the business planning process involves the use of risk management practices in order to identify areas of focus, optimise the use of limited resources, and achieve the desired outcomes. Risk management involves the implementation of policies, standards, procedures and physical changes to eliminate or minimise adverse risks, allowing the organisation to operate at an acceptable level of risk.

Public sector information standards

The office continues to respond to public sector information standards and takes a proactive approach to ensuring compliance. Progress during the financial year was made in the following areas:

- *Privacy.* To achieve full compliance with the State Government's privacy scheme as outlined in Information Standard 42 the office reviewed internal procedures, provided training for staff, updated privacy statements on the web site, reviewed contracts and agreements, and reviewed the privacy plan previously published on OQPC's web site.
- *Recordkeeping.* As outlined earlier, OQPC is meeting milestones associated with Information Standard 40 on Recordkeeping.

Environmental management

Waste management

Further progress was made on the office's waste management plan during the year. The office's move towards electronic—rather than paper-based—work practices is an example of the office's commitment to reduce waste.

Energy management

The office continues to encourage practices that better manage energy consumption.

These include:

- taking opportunities to reduce electricity consumption
- building paper recycling into the office's workplace practices
- ensuring that the replacement of equipment is carried out to maximum efficiency.

Future challenges

- Completing a review of operating platforms best suited to the office's needs into the future
- Continuing to investigate further automation of legislative processes in the context of other overall IT changes
- Finalising revision of the IT strategic plan
- Continuing the development of a relational database
- Continuing to implement changes to OQPC's web site in order to be compliant with CUE and accessibility guidelines
- Upgrading OQPC email infrastructure to improve functionality
- Completing the operational recordkeeping implementation plan (ORIP)
- Continuing to classify all OQPC's files in terms of the corporate thesaurus
- Finalising revision of the archiving and disposal schedule and having it approved by State Archives
- Finalising the waste management plan
- Ensuring ongoing compliance with the State Government's privacy scheme

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financial statements

30th June 2003

Financial statements

For financial accountability purposes, the Office of the Queensland Parliamentary Counsel is included in the financial statements of the Department of the Premier and Cabinet. The financial summary for the 2002–2003 financial year is reported below.

Financial summary

Foreword

The Statement of Financial Performance for the output, Office of the Queensland Parliamentary Counsel has been prepared on an accrual basis in accordance with the prescribed requirements. As required and as appropriate, notes supporting the statement are also provided.

As distinct from the traditional cash basis of reporting, the accrual method brings revenues and expenses to account when they are incurred without regard to the date of receipt or payment of cash.

The Statement of Financial Performance for the Office of the Queensland Parliamentary Counsel is referred to in the Department of the Premier and Cabinet's Statement of Financial Performance by Outputs/Major Activities—Controlled as the 'Legislative Drafting, Advisory and Information Services'. The statement discloses revenues and expenses recognised as part of the Statement of Financial Performance of the Department of the Premier and Cabinet and includes allocations for corporate support and executive management services.

Appropriations are made on an accrual basis to meet expenditure commitments, which include appropriation for depreciation and amortisation to ensure the Office of the Queensland Parliamentary Counsel is able to replace assets and maintain its level of service delivery.

Further information is provided in the Department of the Premier and Cabinet's 2002–2003 Annual Report.

	Notes	2003 \$'000	2002 \$'000
Revenues from ordinary activities			
Output revenue	2	6 914	6 579
User charges	3	71	60
Other	4	86	54
Total revenues from ordinary activities		7 071	6 693
Expenses from ordinary activities			
Employee expenses	5	4 947	4 567
Supplies and services	6	1 781	1 817
Depreciation and amortisation	7	321	282
Other		22	27
Total expenses from ordinary activities		7 071	6 693
Net surplus/deficit		—	—

The above Statement of Financial Performance should be read in conjunction with the accompanying notes.

1. Statement of Significant Accounting Policies

For the purposes of the *Financial Administration and Audit Act 1977*, the Office of the Queensland Parliamentary Counsel is not a 'statutory body' and as such it operates as an output of the Department of the Premier and Cabinet. This output is known as the 'Legislative Drafting, Advisory and Information Services'.

The Office of the Queensland Parliamentary Counsel's Statement of Financial Performance has been prepared in accordance with the *Financial Administration and Audit Act 1977*, the Financial Management Standard 1997, Australian Accounting Standards—in particular AAS 29 *Financial Reporting by Government Departments*, Statement of Accounting Concepts, Urgent Issues Group Abstracts, the *Treasurer's Financial Reporting Requirements for Government Departments 2002–2003* and other prescribed requirements.

The output outlined in this report has been prepared to reflect the 'Statement of Financial Performance by Outputs/Major Activities—Controlled' for the Office of the Queensland Parliamentary Counsel as contained in the Department of the Premier and Cabinet's Financial Statements. The revenues and expenses recognised in this report include allocations for corporate support and executive management services.

A Statement of Outputs/Major Activities by Assets and Liabilities is not mandated by the *Treasurer's Financial Reporting Requirements for Government Departments* and has not been prepared.

The accrual basis of accounting has been adopted in the preparation of this report.

All financial information is rounded to the nearest \$1 000 or where the amount is \$500 or less, to zero.

The Statement of Financial Performance for this output and the associated notes have not been subject to audit.

	2003 \$'000	2002 \$'000
2. Reconciliation to payments from Consolidated Fund		
Output revenue		
Budgeted output appropriation	7 092	6 208
Plus/(less) transfers from/(to) other outputs	(178)	371
Output revenue recognised in Statement of Financial Performance	6 914	6 579
3. User charges		
Publications	12	35
Other	59	25
	71	60
4. Other revenue		
Resources received below fair value	82	-
Gain on disposal of assets	1	-
Other	3	54
	86	54

	2003 \$'000	2002 \$'000
5. Employee expenses/Number of Employees		
Salaries, wages and allowances	3 350	3 188
Salary related taxes	266	262
Superannuation	397	378
Long service leave levy	50	48
Other	884	691
	4 947	4 567
<i>Annual and sick leave expenses have been included in wages and salaries.</i>		
• Number of Employees	59	59
<i>The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.</i>		
6. Supplies and services		
Advertising and promotions	7	8
Telecommunications	47	64
Motor vehicle costs	130	157
Building services	55	58
Maintenance	27	38
Professional services	36	16
Travel	12	15
Books, legislation and statutes	90	90
Administration costs	81	178
Other	1 297	1 193
	1 781	1 817
7. Depreciation and amortisation expenses		
Depreciation and amortisation expenses for the financial year were charged in respect of:		
Property, plant and equipment	319	280
Intangibles	2	2
	321	282

The Office of the Queensland Parliamentary Counsel's operations were predominantly funded by the Consolidated Fund. The funds provided to the Office were incorporated with the appropriation provided to the Department of the Premier and Cabinet.



Feedback survey

Please note: this survey also appears on OQPC's web site on the 'About OQPC' page.
You can email your responses to <legislation.queries@oqpc.qld.gov.au>

Fax: 07 3222 2945

From: _____

Fax: _____

Date: _____

Dear reader, we greatly appreciate your assistance in responding to this survey about our annual report. Your comments will help us to improve our report to better meet your needs.

	Excellent	Good	Satisfactory	Poor
■ What is your overall impression of the report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
■ How do you rate the report for readability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
■ How do you rate the report for ease of finding information?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

■ What did you like most about the report?

■ What did you like least?

■ Is there anything else you would like to see included?

■ Where are you from?

- | | |
|--|---|
| <input type="checkbox"/> Queensland Government | <input type="checkbox"/> local or Commonwealth government |
| <input type="checkbox"/> legal organisation | <input type="checkbox"/> general community <input type="checkbox"/> other |

Thank you

Office of the Queensland Parliamentary Counsel
Levels 17 and 18, 111 George Street
Brisbane QLD 4000
Telephone: (07) 3237 0466

Visit our web site <www.legislation.qld.gov.au>