

Office of the Queensland Parliamentary Counsel

Annual Report 2006 - 2007



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Letter of transmission

Office of the Queensland Parliamentary Counsel

The Hon. Anna Bligh 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 2006 to 30 June 2007.

A handwritten signature in black ink, appearing to read 'Peter Drew', with a stylized flourish at the end.

Peter Drew

Parliamentary Counsel

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The year in review 2006–2007

Goals	Principal activities	Achieving the purposes of the <i>Legislative Standards Act 1992</i>
Provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard	<ul style="list-style-type: none"> ▶ 63 government Bills drafted ▶ 12 Bills for private members drafted ▶ 330 instruments of subordinate legislation drafted ▶ 7,254 pages of Bills and subordinate legislation drafted ▶ amendments to 30 Bills drafted for the consideration in detail process ▶ 141 pages of amendments during consideration in detail drafted ▶ 27,906 pages of draft legislation prepared in camera-ready form for publication ▶ high-level advice on alternative ways of achieving policy objectives provided ▶ extensive ongoing contact with clients for the planning and delivery of the legislative program continued 	<ul style="list-style-type: none"> ▶ high level of client satisfaction (92.3%) as measured by a survey of government departments (target 85%) ▶ all essential legislation delivered in a timely way to government and private members ▶ 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 ▶ access to justice by providing Parliament with the drafting services necessary to ensure there is an appropriate system of rules to govern our society
Ensure Queensland legislation is readily available by providing responsive publication, advisory and information services	<ul style="list-style-type: none"> ▶ 211,695 pages prepared in camera-ready form for publication ▶ 256 hard copy reprints published (26,934 pages) ▶ 976 electronic reprints published (140,035 pages) ▶ 85.8% of electronic reprints published within 2 weeks of amendments commencing (target 75%) ▶ 100% of agreed deadlines met for printed publications ▶ continued implementation of the changes to the style and presentation of Queensland legislation 	<ul style="list-style-type: none"> ▶ free, immediate public access to all versions of Queensland legislation as passed or made ▶ free public access to electronic reprints soon after amendment ▶ continual improvement of the office's website to enhance access to Queensland legislation ▶ access to justice by ensuring members of the community have access to the legislation that governs them and provides them with rights
Maximise the capacity of our skilled and diverse staff to contribute to the achievement of corporate and government goals	<ul style="list-style-type: none"> ▶ regular forums held ▶ performance planning and review carried out for staff ▶ participation in the Department of the Premier and Cabinet achievement awards ▶ ongoing training and development of staff 	<ul style="list-style-type: none"> ▶ office capability maintained through retention of experienced staff and ongoing training ▶ continued implementation of performance development system
Continually improve the capacity of systems and processes to contribute to the achievement of corporate and government goals within established frameworks	<ul style="list-style-type: none"> ▶ implementation of a business improvement process to identify and prioritise opportunities for improvements to existing office processes and systems 	<ul style="list-style-type: none"> ▶ office capability and community access improved through continued enhancement of office systems ▶ adherence to whole-of-government standards
Continually improve information technology to contribute to the achievement of corporate and government goals within established frameworks	<ul style="list-style-type: none"> ▶ continued development of the office's website 	<ul style="list-style-type: none"> ▶ utilising emerging technologies to advance the production of legislation and legislative information

About us

Key roles and functions of the office

On 1 June 1992 the Office of the Queensland Parliamentary Counsel was established as a statutory authority by the *Legislative Standards Act 1992*. The key roles of the office are directed at achieving the purposes set out in section 3 of that Act. These purposes include ensuring that:

- Queensland legislation is of the highest standard
- Queensland legislation is drafted effectively and efficiently
- 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.

The office has a broad range of functions under the *Legislative Standards Act 1992*, section 7, including:

- drafting all government Bills
- drafting all amendments of Bills for Ministers
- drafting all subordinate legislation other than exempt subordinate legislation
- drafting, if asked:
 - ▶ proposed Bills for government entities other than departments and public service offices
 - ▶ private members' Bills
 - ▶ amendments of Bills for other members
 - ▶ 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 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 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.

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 values

The office's core values are:

- Commitment to client service, including honesty, objectivity, dedication and responsibility
- Commitment to quality, including a proactive approach to innovation and continuous improvement

And, to best achieve client service and quality, the office's values also include:

- Teamwork
- The contribution of staff as individuals and team players
- A supportive and professional working environment in which staff gain job satisfaction, skills development, career development and a sense of achievement

Our clients

The office uses a team-based approach to provide its clients with the best possible service. It is structured into four groups: department groups A, B, and C; and the publications and corporate services group. Each department group provides drafting and advisory services to a particular set of drafting clients, as well as publishing point-in-time reprints relating to their set of clients. Each team of non-drafting officers in the department groups, referred to in this report as legislation officers, also has a role in supporting a whole-of-office function, namely, corporate support, reprints management or legislative information and publications.

Group A departments 2006–07	Group B departments 2006–07	Group C departments 2006–07
Corrective Services Employment and Industrial Relations Justice and Attorney-General Main Roads Premier and Cabinet Queensland Police Service Queensland Transport State Development Tourism, Fair Trading and Wine Industry Development (Office of Fair Trading)	Child Safety Communities Disability Services Queensland Education, Training and the Arts Emergency Services Housing Public Works Queensland Health Queensland Treasury Tourism, Fair Trading and Wine Industry Development (except groups A and C matters)	Environmental Protection Agency Local Government, Planning, Sport and Recreation Mines and Energy Natural Resources and Water Primary Industries and Fisheries Infrastructure Tourism, Fair Trading and Wine Industry Development (Building Units)

The publications and corporate services group is responsible for legislative access issues, information technology, library services and corporate governance.

Drafting and advisory clients

The office's clients for its drafting and advisory services are the people who provide instructions for drafting proposed legislation. Instructors include the Premier, Cabinet, Ministers, government departments and 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 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 entities by:

- producing the versions of Bills required for passage through the Legislative Assembly and for 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 for departments the notification, publication and tabling processes for subordinate legislation, including publication and notification of subordinate legislation in extraordinary gazettes.

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.

Group A		Group B	
Deputy Parliamentary Counsel		Deputy Parliamentary Counsel	
First Assistant Parliamentary Counsel	Manager, Corporate Support*	First Assistant Parliamentary Counsel	Manager, Reprints*
Senior Assistant Parliamentary Counsel	Legislation Program Officer	Senior Assistant Parliamentary Counsel	Legislation Program Officer
Assistant Parliamentary Counsel	Senior Publications Officer (Legislation)	Assistant Parliamentary Counsel	Senior Publications Officer (Legislation)
	Publications Officers (Legislation)		Publications Officers (Legislation)
		Parliamentary Counsel Executive Assistant	
Group C		Publications and Corporate Services Group	
Deputy Parliamentary Counsel		Manager, Publications and Corporate Services	
First Assistant Parliamentary Counsel	Manager, Legislative Information and Publications*	IT Manager	Senior Project Officer
Senior Assistant Parliamentary Counsel	Legislation Program Officer	Support Officer (Information Technology)	Research Officer
Assistant Parliamentary Counsel	Senior Publications Officer (Legislation)		
	Publications Officers (Legislation)		

*The manager of each legislation officer team reports to the Manager, Publications and Corporate Services in relation to the team's whole-of-office function.

Planning our performance

The office works towards goals in three key result areas.

Key result area 1 Legislative drafting services

Goal

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

Key result area 2 Legislative publishing and information services

Goal

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

Key result area 3 Organisational capability

Goals

To maximise the capacity of our skilled and diverse staff to contribute to the achievement of corporate and government goals

To continually improve the capacity of office systems and processes to contribute to the achievement of corporate and government goals within established frameworks

To continually improve information technology to contribute to the achievement of corporate and government goals within established frameworks

In conjunction with the strategic planning process the office develops a business plan detailing operational projects and processes to enable the office to meet the performance targets. Personal plans prepared by each member of staff show, through projects and responsibilities, how each person contributes to the office meeting its goals.

Reporting on our performance

The office's performance is measured in terms of quality, quantity and timeliness. These measures include regular feedback from drafting clients and the input of a client focus group.

The annual report provides a comprehensive overview of the office's performance on a yearly basis. In accordance with the government's Managing for Outcomes initiative, the office also provides quarterly reports on its performance. 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.

The workload in a legislative drafting office is driven by the government's legislative program and the sittings pattern of the Legislative Assembly. The work is difficult to measure with precision and may vary from year to year. Law-making is complex and involves many players. Ultimately, the office's clients must assess its performance.

Key result area 1 Legislative drafting services

Goal

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

Key issues and challenges

- ▶ Meet the high level of demand for high quality drafting and advisory services
- ▶ Continually improve the quality of legislative drafting by maintaining quality assurance systems, using plain English drafting practices and improving the presentation of legislation
- ▶ Enhance the link between high quality drafting and high quality policy
 - ▼ Improve the quality, consistency and integration of laws across the statute book
 - ▼ Refine instructed policy into written law consistent with fundamental legislative principles and provide relevant advice
- ▶ Ensure access to justice
 - ▼ Provide Parliament with the drafting services necessary to ensure there is an appropriate system of rules to govern our society
 - ▼ Make sure legislation is conceptually easy to understand
 - ▼ Protect the institution of Parliament and the rights and liberties of individuals—the fundamental legislative principles

Strategies

- ▶ Deliver the Government's legislative program
- ▶ Deliver a drafting product of the highest standard
- ▶ Review, document and communicate issues that contribute to ensuring Queensland legislation is of the highest standard

Performance measures

- ▶ Quantity of legislation drafted
 - ▼ Number of Bills provided (including page numbers)
 - ▼ Number of amendments during consideration in detail provided (including page numbers)
 - ▼ Number of instruments of subordinate legislation provided (including page numbers)
- ▶ Quantity of significant legislation drafted
- ▶ Quantity and effectiveness of support services delivered
- ▶ Quality—level of client satisfaction of direct government drafting clients (target 85%)
- ▶ Briefing note system maintained at a high level
- ▶ New style and presentation of legislation reviewed
- ▶ Quality assurance system actively promoted
- ▶ Drafting products and services reviewed
- ▶ Increased client awareness of drafting quality issues by client agencies and other external bodies

Our performance

Delivering the Government's legislative program

Quantity of legislation delivered

During 2006–2007 the office drafted all of Queensland's Bills and subordinate legislation, as defined in the *Statutory Instruments Act 1992*, 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. The PCC coordinates the drafting of legislation that, to some extent, requires uniformity across jurisdictions.

During the year the office also drafted 12 private members' Bills and 39 non-government amendments for Bills that were tabled in the Legislative Assembly.

Queensland Acts assented to and subordinate legislation made, 2002–2007*								
Year	No. of Acts	No. of Act pages	Principal Acts	No. of Acts amended	No. of instruments of SL	No. of SL pages	No. of Acts & instruments of SL	No. of Acts & SL pages
2002–2003	95	4,645	27	527	360	3,369	455	8,014
2003–2004	71	3,923	26	441	345	4,082	416	8,005
2004–2005	70	4,446	17	425	354	4,128	424	8,574
2005–2006	76	4,376	20	417	365	3,337	441	7,713
2006–2007	56	3,288	13	300	319	4,059	375	7,347

* Figures in the table are the Acts assented to and subordinate legislation made by the Governor or departments. The number of Bills and subordinate legislation drafted, but not necessarily passed or made during the year, is indicated in the next table.

Queensland Bills and subordinate legislation drafted, 2006–2007								
Year	No. of Bills	No. of Bill pages	For Principal Acts	No. of Acts amended by Bills	No. of draft instruments of SL	No. of draft SL pages	No. of Bills & draft instruments of SL	No. of Bills & draft SL pages
2006–2007	75	3,256	16	300	330	3,998	405	7,254

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).

In 2006–2007, examples of provisions that provide for exempt subordinate legislation include:

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 examples

- *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]



Significant legislation drafted

During 2006–2007 the office continued to draft legislation supporting the government’s priorities.

Legislation of particular significance for which drafting services were provided during the year, including amendments prepared during passage through Parliament, is set out in the following pages.

Associations Incorporation and Other Legislation Amendment Act 2007

- introduces the first phase of a number of reforms, including reforms relating to insurance requirements, following a major review of the *Associations Incorporation Act 1981*.

Associations Incorporation and Another Regulation Amendment Regulation (No. 1) 2007

- provides new model rules for incorporated associations.

Australian Catholic University (Queensland) Act 2007

- facilitates the operation of the university in Queensland.

Body Corporate and Community Management and Other Legislation Amendment Act 2007

- introduces a number of reforms, including reforms to the dispute resolution process, following a major review of the *Body Corporate and Community Management Act 1997*.

Building and Other Legislation Amendment Act 2006

- rewrites and restructures legislation relating to building work and building certifiers.

Building Regulation 2006

- provides for matters about building work and other matters under the *Building Act 1975*.

Child Employment Amendment Regulation (No. 1) 2006

- provides safeguards for children working in the entertainment industry in Queensland.

Community Ambulance Cover and Other Acts Amendment Act 2007

- includes amendments to ensure appropriate imposition of the Community Ambulance Cover levy on the commencement of full retail competition in the energy industry.

Community Services Bill 2007

- helps build sustainable communities by facilitating access to community services.

Criminal Code and Civil Liability Amendment Act 2007

- increases the maximum penalty for dangerous driving causing death or grievous bodily harm and expands the circumstances of aggravation for the offence to include hit-and-run incidents. It also creates a new offence of identity fraud prohibiting the misuse of another person’s identification information.

Criminal Code (Drink Spiking) and Other Acts Amendment Act 2006

- amends the Criminal Code to insert a new offence of unlawful drink spiking and amends the *Dangerous Prisoners (Sexual Offenders) Act 2003* to clarify that a judicial authority can order that a released prisoner be electronically monitored.

Dangerous Prisoners (Sexual Offenders) Amendment Bill 2007

- allows the temporary detention of released prisoners who contravene, or are believed likely to contravene, their supervision orders pending a decision by the Supreme Court.

Education (General Provisions) Act 2006

- implements a legislative scheme to make high quality education available to Queensland children and young people.

Education Legislation Amendment Act 2006

- primarily facilitates the introduction of new certification arrangements in Queensland and the administration of student accounts that support the certification arrangements.

Electricity and Other Legislation Amendment Act 2006

- restructures electricity and gas legislation to allow for the introduction of full retail contestability in electricity and gas markets from 1 July 2007.

Energy Ombudsman Act 2006

- provides for an Energy Ombudsman and office to mediate and arbitrate particular disputes between energy entities and consumers or occupiers.

Freedom of Information Regulation 2006

- revises the subordinate legislation under the *Freedom of Information Act 1992* as part of the ongoing subordinate legislation expiry program.

Gas Supply Regulation 2007

- provides for matters about retail contestability for natural gas supply.

Government Owned Corporations Amendment Act 2007

- improves and contemporises the corporate governance framework for the State’s government owned corporations.

Health and Other Legislation Amendment Act 2007

- includes amendments providing for the conduct of root cause analyses of reportable events that happen during the provision of health services.

Health Legislation Amendment Act 2006

- includes amendments to give effect to recommendations of the Ministerial Task Force on Recruitment, Assessment and Registration Processes for International Medical Graduates in Areas of Need.

Health Services Amendment Act 2006

- contains amendments to support the continued implementation of the current health reform agenda.

Industrial Relations Act and Other Legislation Amendment Act 2007

- provides additional protections to Queensland workers following the commencement of the Commonwealth's WorkChoices legislation.

Land and Other Legislation Amendment Act 2007

- includes amendments of the *Land Act 1994* to implement a report on business improvement opportunities for the management of State land and to facilitate the introduction of the State Rural Leasehold Land Strategy.

****Legal Profession Act 2007**

- completes the implementation of the national reform of the legal profession.

Local Government and Other Legislation Amendment Act 2007

- further aligns State and local government election provisions, particularly following the 2002 amendments of the *Electoral Act 1992*, and establishes the Local Government Reform Commission to carry out a structural review of all local government areas.

Lotteries Amendment Act 2007

- facilitates the implementation of a new licensing model for the operation of lotteries in Queensland.

Marine Parks Regulation 2006

- new legislation under the *Marine Parks Act 2004* providing for the management of marine parks. It promotes consistency with legislation for the management of other areas of natural or cultural significance.

Medical Board (Administration) Act 2006

- facilitates the provision of responsive administrative and operational support to the Medical Board of Queensland.

Nature Conservation (Administration) Regulation 2006

Nature Conservation (Protected Areas Management) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

- result from a significant review of previous legislation. The regulations promote consistency with legislation for the management of other areas of natural or cultural significance.

Nature Conservation Amendment Act 2006

- prohibits issuing authorisations for the recreational shooting of ducks and quails.

Nature Conservation (Koala) Conservation Plan 2006 (and associated regulation amendments)

- provide for the conservation of koalas, and for the impact of development on koalas to be considered as part of assessment processes under the *Integrated Planning Act 1997*.

Nuclear Facilities Prohibition Act 2007

- prohibits particular nuclear facilities in Queensland.

Police and Other Legislation Amendment Act 2007

- introduces further initiatives to support the young driver reforms.

Police Powers and Responsibilities and Other Legislation Amendment Act 2006

- provides for the impounding of motor vehicles driven by repeat drink drivers and repeat unlicensed drivers.

Queensland Building Services Authority and Other Legislation Amendment Bill 2007

- among other things, provides the statutory framework for the establishment of an occupational licensing regime for the fire protection industry.

Revenue and Other Legislation Amendment Act 2006

- includes amendments to give effect to revenue measures announced in the 2006–07 State Budget and the 2006 election.

Revenue and Other Legislation Amendment Act 2007

- implements measures announced in the 2007–08 State budget.

Security Providers Amendment Bill 2006

- provides for a licensing regime for security providers that includes nationally consistent probity and character checks and supports COAG's recognition that a national harmonised security industry has a key role to play in counter-terrorism activities, enabling security resources to be quickly deployed across jurisdictional boundaries when needed.

State Development and Other Legislation Amendment Act 2006

- establishes a scheme to streamline approval processes, under the *Integrated Planning Act 1997*, for development for significant infrastructure projects.

State Penalties Enforcement and Other Legislation Amendment Act 2007

- introduces a number of amendments to streamline the fine collection system.

Statutory Bodies Legislation Amendment Act 2007

- implements Government policy to return employees of certain statutory bodies affected by the Commonwealth's WorkChoices legislation to the State industrial system.

Summary Offences and Other Acts Amendment Act 2007

- prohibits the sale of spray paint to minors and prohibits persons, in trade or commerce, from providing an internet or SMS text message service to enable the evasion of police traffic enforcement sites.

Superannuation (State Public Sector) Amendment Act 2007

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 2007

- provide a framework for QSuper to apply for Commonwealth regulation as an employer sponsored fund and for the transfer of the members and assets of the Parliamentary Contributory Superannuation Fund to the State Public Sector Superannuation Scheme.

***Trade Measurement (Weighbridges) Amendment Regulation (No. 1) 2006**

- provides for matters about the licensing and operation of public weighbridges implemented on a national basis.

Transport and Other Legislation Amendment Regulation (No. 1) 2006

- increases maximum penalties for offences about fatigue management applying to heavy vehicles and makes these offences demerit point offences for driver licensing legislation.

Transport Legislation and Another Act Amendment Act 2007

- inserts powers to support reforms including additional training for young drivers and saliva testing for driving while under the influence of illicit drugs.

Transport Operations Legislation Amendment Act 2007

- provides, among other things, for the imposition of a levy on taxi service licensees in certain areas to fund the cost of security at particular taxi ranks.

Transport Operations (Marine Safety—Bareboat Ships) Standard 2007

Transport Operations (Marine Safety—Examining and Training Program Approvals (Commercial Ships and Fishing Ships)) Standard 2007

Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007

Transport Operations (Marine Safety—Parasailing) Standard 2007

- provide measures for marine safety in relation to various matters.

Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 2) 2006

- prescribes eligibility and other criteria for section 79E orders that allow drivers whose licences are suspended to continue to drive to avoid extreme, or severe and unusual, hardship to the applicant or the applicant's family.

Transport Operations (Road Use Management—Driver Licensing) and Other Legislation Amendment Regulation (No. 1) 2007

Transport Operations (Road Use Management—Driver Licensing) and Another Regulation Amendment Regulation (No. 1) 2007

- introduce a new licensing scheme for young drivers.

Uniform Civil Procedure Amendment Rule (No. 1) 2007

- allows a court to make a freezing order to prevent a person defeating a judgment of the court by moving or disposing of an asset.

Vocational Education, Training and Employment and Other Acts Amendment Act 2007

- implements specific actions outlined in the Queensland Skills Plan White Paper.

Water Amendment Regulation (No. 6) 2006

- provides strategies, outlined in the preamble, to ensure the security of essential water supplies for the SEQ region.

Water Resource (Gold Coast) Plan 2006

Water Resource (Logan Basin) Plan 2007

Water Resource (Moreton) Plan 2007

- provide for the allocation and sustainable management of water for the SEQ region.

Whistleblowers (Disclosure to Member of Parliament) Amendment Act 2007

- facilitates public interest disclosures to members of the Legislative Assembly, and extends whistleblower protection to people engaged by public sector entities on individual contracts of service, including many casual nurses.

Wild Rivers and Other Legislation Amendment Act 2006

- includes amendments of the *Wild Rivers Act 2005* to remove unreasonable impediments to essential and low-impact developments in wild river areas.

Wine Industry Amendment Bill 2007

- amends the *Wine Industry Act 1994* to support innovation and growth in the State's wine industry and to avoid unnecessary regulation.

Workplace Health and Safety and Other Legislation Amendment Regulation (No. 1) 2007

- implements requirements about the use and operation of specific high-risk industrial plant and equipment.

* National scheme legislation drafted by the office for the PCC

** National scheme legislation from drafts provided by the PCC

Quantity and effectiveness of support services delivered

During 2006–2007 the office continued to provide a number of support services to:

- Parliament, for the Bill to Act process
- the Governor in Council and other entities authorised to make subordinate legislation, for the subordinate legislation process.

Performing functions in the Bill to Act process

During 2006–2007 the office continued to produce all the versions of Bills required for passage through the Legislative Assembly and for assent. Under the Clerk of the Parliament's instructions, the office inserts into Bills amendments made during consideration in detail, consequential changes arising from the amendments, and other minor changes.

Performing functions in the subordinate legislation process

During 2006–2007 the office continued to perform a central role 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 either certifying 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 on two grounds only: 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.

Delivering a drafting product of the highest standard

During 2006–2007 the office continued its commitment to providing high quality legislative drafting services and advice in a professional, impartial, and responsive way.

Level of client satisfaction

During the year, the office regularly surveyed government departmental clients on the quality of its legislative drafting services. The target for the survey is an overall client satisfaction rating of 85%.

The survey measures client satisfaction in four areas:

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

During 2006–2007 the office achieved an overall satisfaction rate of 92.3% from responses received from clients.

The drafting process

During 2006–2007 the office aimed to ensure high client satisfaction in relation to the processes it adopted in providing drafting services by:

- the prompt acknowledgement of instructions and allocation of a drafter
- drafts of legislation produced in a way responsive to client needs
- responsiveness to requests and queries and availability for discussions
- comprehensive incidental advice, for example, about:
 - ▶ the drafting process
 - ▶ the relevant legislation program
 - ▶ other relevant legislation or agencies
 - ▶ general drafting matters
 - ▶ drafting progress.

As part of the drafting process, the office scrupulously maintained its duty of confidentiality to clients as required under the *Legislative Standards Act 1992*, section 9A.

During 2006–2007 the office achieved an average client satisfaction rating of 93.7% for the drafting process.

Advice on alternative ways of achieving policy objectives

Under the *Legislative Standards Act 1992*, section 7, the office has a specific function to provide advice on alternative ways of achieving policy objectives.

To provide this advice the office undertakes 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
- the established or traditional government position in relation to particular provisions
- how the presentation of a law can make it user-friendly.

During 2006–2007 the office achieved an average client satisfaction rating of 90.1% for advice provided on alternative ways of achieving policy objectives.

Advice on fundamental legislative principles (FLPs)

Under the *Legislative Standards Act 1992*, section 7, the office has a specific function to provide advice on the application of fundamental legislative principles.

FLPs 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 have sufficient regard to the rights and liberties of individuals and the institution of Parliament.

Advice provided by the office 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 2006–2007 the office achieved an average client satisfaction rating of 90.6% for advice provided on the application of fundamental legislative principles.

The office has only a limited role in the legislative processes of government. It welcomes the support of the advisory role provided by the Scrutiny of Legislation Committee of the Parliament and strives to keep instructors fully informed of the committee's concerns. During the year the office continued to work with departments to develop 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.

The overall drafting product

The office was established under the *Legislative Standards Act 1992* to ensure that Queensland legislation is of the highest standard. This is achieved by ensuring the drafting product is clear and simple and effectively implements government policy.

During 2006–2007 the office achieved an average client satisfaction rating of 94.5% for its drafting product.

Drafting style

The office adopted a comprehensive plain English drafting policy in 1991. The office continues its commitment to plain English as an attitude or philosophy that is focused on the client and that values simplicity as a way to achieve clear, effective communication. This commitment is an integral part of the office's goal to improve access to justice for all its clients through more effective communication of legislative rights and obligations.

The office has a commonsense approach to the use of plain English and takes the view that legislation should be as simple as possible and should only contain the degree of complexity necessary to achieve desired policy objectives in a legally effective way. The value the office places on simplicity is consistent with its view that the ordinary person in the community should be regarded as the ultimate user of legislation.

Legislation that is easy to understand is less likely to result in dispute and litigation. However, the use of simple language alone may be insufficient to guarantee clear communication. The plain English approach does not involve the simplification of laws to the point they become legally uncertain. Care needs to be taken that legal uncertainty is not created when dispensing with terms that have established meanings for users of legislation.

There always has to be a balance between the outcomes of simplicity, clarity and legal certainty. The drafter must seek to meet the various needs of clients by producing legislation that is, at the same time:

- easily read and understood, and
- legally effective to achieve the desired policy objectives.

Drafters have a range of techniques by which legislation can expose its underlying policy while remaining accurate and unambiguous. These include the use of purpose clauses, preambles, key or basic concepts and definitions, explanatory provisions, and examples. The techniques can be used to organise, orient and explain to help establish context, relevance and, ultimately, understanding.

Quality assurance processes

The office 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. Draft legislation receives a final check by a legislation officer who proofreads it, polishes the format, and prepares it for passage through Parliament, or, in the case of subordinate legislation, for its making.

Reviewing, documenting and communicating issues contributing to ensuring Queensland legislation is of the highest standard

During 2006–2007 the office continued to review its practices and precedents, and to publish comprehensive information about legislative matters, to ensure Queensland’s statute book is of the highest standard.

Review of the style and presentation of Queensland legislation

During 2006–2007 the office continued implementing changes to the style and presentation of Queensland legislation designed to improve access to legislation by improving its readability.

A two-yearly review of the styles is currently being finalised.

The Queensland Legislation Handbook

During 2006–2007 the office continued to make available *The Queensland Legislation Handbook*, which forms part of the *Governing Queensland* suite of handbooks.

The handbook outlines relevant policies, recommendations, information and procedures for the realisation of policy in the form of legislation. It is particularly designed to help departmental policy and instructing officers to work effectively with the office in drafting legislation.

The handbook also incorporates material about legislative processes, including parliamentary processes, mainly from the perspective of an instructing officer.

The handbook is available:

- on the Department of the Premier and Cabinet’s website at <www.premiers.qld.gov.au> in HTML form
- on the office’s website <www.legislation.qld.gov.au> in PDF form
- for purchase from SDS in hard copy form.

Fundamental Legislative Principles: The OQPC Notebook

During 2006–2007 the office continued to make available to policy officers its documentation of the operation in Queensland of fundamental legislative principles. This internal resource manual, entitled *Fundamental Legislative Principles: The OQPC Notebook*, aims to raise policy officers’ awareness of what fundamental legislative principles are and to identify and resolve fundamental legislative principle issues. The notebook supports the work of the Scrutiny of Legislation Committee.

Exempt instrument guidelines

The parliamentary counsel is empowered, under the *Legislative Standards Act 1992*, section 9, to issue guidelines for drafting practices to be observed by persons drafting exempt instruments (which include exempt subordinate legislation and local laws). During 2006–2007 the office continued to publish on its website guidelines for drafting university exempt instruments and local government exempt instruments.

Future challenges

- ▶ Continuing the implementation and finalising the review of new styles and presentation for Queensland legislation
- ▶ Continuing to improve office documentation, including drafting standards, precedents and procedures

Key result area 2 Legislative publishing and information

Goal

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

Key issues and challenges

- ▶ Meet community and international needs for access, particularly electronic access, to legislation and legislative information
- ▶ Increase client awareness of available services and respond to client needs within existing resources
- ▶ Ensure access to justice by providing the community with the ability to locate written law and to identify which law applies from time to time

Strategies

- ▶ Timely supply of:
 - ▼ Bills for introduction, and for all stages of passage through Parliament, and assent
 - ▼ amendments to Bills
 - ▼ subordinate legislation for making, including, regulatory impact statements and explanatory notes for the subordinate legislation
 - ▼ legislation as made
 - ▼ annual volumes of legislation as made, including regulatory impact statements and explanatory notes
- ▶ Publish up-to-date reprints of legislation in printed and electronic form
- ▶ Provide up-to-date information about Queensland legislation in printed and electronic form and by other services
- ▶ Review, document and communicate issues that contribute to improving the availability of legislation and legislative information

Performance measures

- ▶ Quantity of legislation supplied
 - ▼ Number of pages of:
 - ▼ Bills for introduction, all stages of passage through Parliament, and assent
 - ▼ Amendments during consideration in detail
 - ▼ Acts for the Acts as passed series
 - ▼ Certified copies of subordinate legislation, and regulatory impact statements and explanatory notes accompanying them
 - ▼ Subordinate legislation, regulatory impact statements and explanatory notes for the subordinate legislation series
 - ▼ Annual volumes of Acts
 - ▼ Annual volumes of explanatory notes
 - ▼ Annual volumes of subordinate legislation
- ▶ Timeliness
 - ▼ Percentage of deadlines met for the supply of subordinate legislation for the subordinate legislation series (target 100%)
 - ▼ Percentage of deadlines met for the supply of other legislation (target 90%)
- ▶ Quantity of up-to-date reprints of legislation published
 - ▼ Number of pages of:
 - ▼ hard copy reprints
 - ▼ electronic reprints
- ▶ Timeliness
 - ▼ Percentage of deadlines met for the supply of hard copy reprints (target 90%)
 - ▼ Percentage of deadlines met for the preparation of electronic reprints (target 75%)
- ▶ Quantity of information about Queensland legislation prepared
 - ▼ Number of pages of:
 - ▼ Notification tables for subordinate legislation
 - ▼ Weekly and monthly indexes to the subordinate legislation series
 - ▼ Queensland Legislation Annotations—current legislation volumes and repealed legislation volume
 - ▼ Weekly Update to Queensland Legislation
 - ▼ Cumulative Weekly Update
 - ▼ Cumulative Weekly Update of Queensland Legislation Reprints
- ▶ Timeliness
 - ▼ Percentage of deadlines met for the supply of notification tables for subordinate legislation (target 100%)
 - ▼ Percentage of deadlines met for the supply of other information (target 90%)
- ▶ Telephone and email enquiry service provided
- ▶ Clients consulted to review accessibility to legislation and legislative information
- ▶ Increased awareness of clients and others of accessibility issues and developments
- ▶ Publishing and information services reviewed and improved

Our performance

Timely supply of Bills for introduction, passage and assent

Bills through all stages of Parliament and assent

During 2006–2007 the office:

- provided Parliament with all Bills for all stages of passage through the Legislative Assembly and assent
- published, on its website, all Bills, and explanatory notes for Bills, after introduction
- published, on its website, all amendments made to Bills during consideration in detail and explanatory notes for amendments.

Timely supply of legislation as made

Acts as passed

During 2006–2007 the office published all Acts as passed as soon as they were assented to:

- in hard copy form in the Acts as passed series
- on its website.

Subordinate legislation as made

During 2006–2007 the office published all subordinate legislation as made as soon as it was notified:

- in hard copy form in the subordinate legislation series
- on its website.

The office also published as part of the hard copy subordinate legislation series and on its website:

- weekly and monthly tables of subordinate legislation as made
- explanatory notes and regulatory impact statements prepared for significant subordinate legislation as made.

Annual volumes

During 2006–2007 the office published the 2006 hard copy annual volumes of:

- Acts and explanatory notes for Bills
- subordinate legislation, and explanatory notes and regulatory impact statements prepared for significant subordinate legislation.

Timely access to legislation as passed or made

During 2006–2007 the office met 100% of mandatory deadlines. These deadlines included:

- the supply of Bills to Goprint for introduction and to the Table Office at Parliament House for the Bill to Act stages and assent
- the supply to Goprint of:
 - ▶ subordinate legislation for inclusion in the subordinate legislation series
 - ▶ notification tables, for subordinate legislation, for gazettal.

The office also met 90% of other deadlines for printed legislative publications, such as the annual volumes. This performance measure counts the percentage of printed publications prepared in time to meet supply.

Publishing up-to-date reprints of legislation

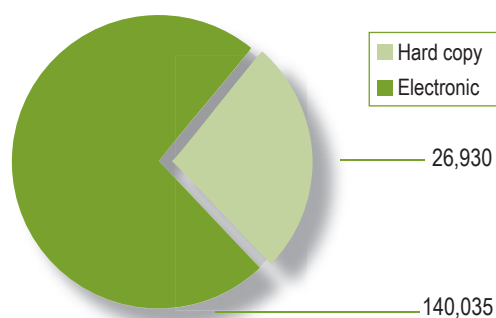
Queensland Legislation Reprints series (hard copy reprints)

During 2006–2007 the office published 256 hard copy reprints (26,934 pages) for inclusion in the *Queensland Legislation Reprints* series. Under the current system for official publication of Queensland legislation, legislation is authorised by the parliamentary counsel and printed by the government printer.

The *Queensland Legislation Reprints* series is authorised under the *Reprints Act 1992* and contains reprints of Acts and subordinate legislation (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.

Pages of reprints published in 2006–2007



Electronic reprints

The office's website effectively provides a 'point-in-time' database of legislation. Since July 2002, the office has prepared an electronic reprint for each day of change. This means having an electronic reprint of an item of legislation available for each date on which an amendment to that legislation commences.

During 2006–2007 the office prepared 976 electronic reprints (140,035 pages). Although electronic reprints are not yet recognised as 'authorised' under the *Reprints Act 1992*, they provide users with a convenient reference document. Revised electronic editions of reprints are prepared to include amendments arising from revision notices or retrospective amendments.

Using the Reprints Act

During 2006–2007 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 mainly applicable to hard copy reprints. Electronic reprints may incorporate very minor consequential amendments made under the Reprints Act. During 2006–2007, section 35 of the Reprints Act, which enables the format and printing style of a law to be brought into line with current legislative drafting practice, has been used in the continued implementation of the changes to the style and presentation of legislation.

Timely access to reprints of legislation

During the year the office published 85.8% of electronic reprints within two weeks of the commencement of an amendment to a reprint. The office target is 75%.

Providing up-to-date 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.

During 2006–2007 the office published two volumes of current annotations (2,474 pages) and one volume of repealed annotations (726 pages). The office also continued to make the annotations available in electronic form free to the public on its website <www.legislation.qld.gov.au>.

Current legislation volumes of the *Queensland Legislation Annotations* are published every six months and provide comprehensive information about all current Queensland legislation. Included in the volumes are:

- commencement dates
- details of amending legislation
- changeover and transfer dates
- information about the expiry of provisions
- information 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. Included in this volume is information about:

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

Weekly Update to Queensland Legislation

During 2006–2007 the office continued to publish the hard copy *Weekly Update to Queensland Legislation*. This publication shows weekly changes in Queensland legislation and is designed to complement the information on the office's website. The update meets the office's commitment to provide a hard copy publication for clients who do not have internet access or who prefer accessing information in hard copy form.

During the year the office published 1,023 pages of weekly updates. The publication is available for purchase or subscription from SDS. This publication is also published in electronic form free to the public at <www.legislation.qld.gov.au> in both separate and cumulative form.

Tables of changed laws and references

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.

During 2006–2007 the office continued to update and publish on its website two documents that provide a way to track these changes in legislation.

- 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.

Providing the legislation database to other organisations

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

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

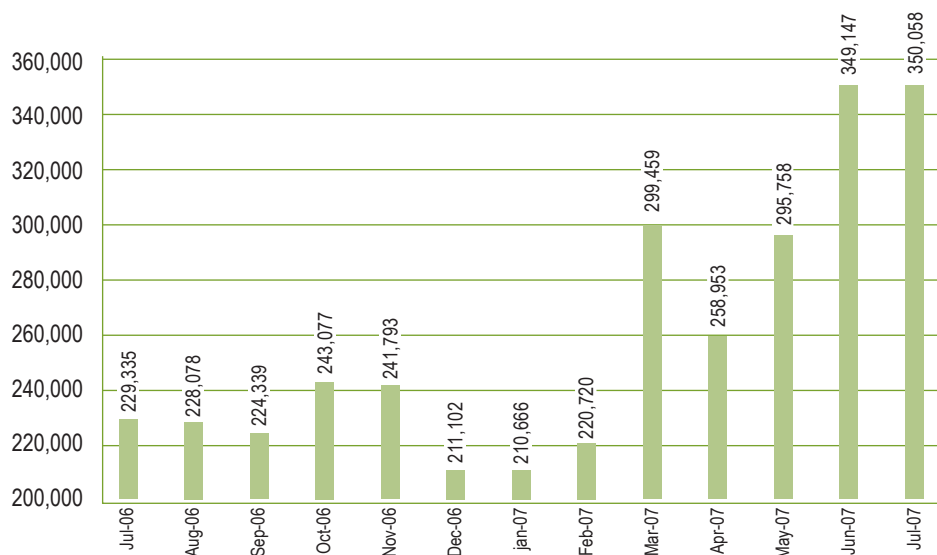
Obtaining publications

The printed versions of these publications are available for purchase and subscription from SDS. Electronic versions of these publications are available on <www.legislation.qld.gov.au> free of charge.

Timely access to information about legislation

During 2006–2007 the office met 100% of deadlines for the supply of information about legislation.

Number of visitors to the office's website*



*The chart shows the number of visitors per weekday during the year. A 'visit' is defined as the total number of times web users visit, and interact with, the website during the selected reporting period. Visitors must be on the site for at least 30 minutes to be counted. The activities of search engines may distort figures which makes precise figures difficult to establish.

Ongoing access to electronic versions of legislation and legislative information

The office provides free public access to all its electronic versions of legislation and legislative information on its website <www.legislation.qld.gov.au> on an ongoing basis, including:

- ▶ Bills and their explanatory notes (from November 1992)
- ▶ amendments made during consideration in detail and their explanatory notes (from 2002)
- ▶ Queensland Acts as passed (from June 1991)
- ▶ subordinate legislation as made (from July 1991) with associated regulatory impact statements and explanatory notes (from 1996)
- ▶ 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 drafting 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.

Reviewing, documenting and communicating issues that contribute to improving the availability of legislation and legislative information

Client focus group

Since 2001 the office has met with a client focus group to discuss significant publishing matters. The office uses the comments and advice provided by the focus group to plan the future direction of its publication activities. Meetings of the group offer members an opportunity to put forward their views and opinions on existing, and planned, office publications and services.

The focal points of the next meeting will be:

- making electronic reprints official
- the review of the changes to legislative style
- the website's new search engine.

Representatives from the following are invited to take part in the client focus group:

- the Queensland Law Society
- the Australian Law Librarians Group (Qld Branch)
- the Queensland Parliamentary Library
- the State Library of Queensland
- Goprint and SDS
- government departments.

Awareness of the office and its role

The office uses information sessions to raise awareness of its role and functions and to provide opportunities for client feedback.

During 2006–2007 the office provided:

- a presentation to policy officers at the Department of Communities
- several information sessions about the office and how to prepare effective drafting instructions—the information sessions, for policy officers from various government departments and agencies, were presented for the Institute of Public Administration Australia
- several information sessions about the office and its role as part of the Department of the Premier and Cabinet's staff induction program.

Youth Parliament

The 2006–2007 Youth Parliament again provided 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 youth concerns and expectations and that could be acted on by the government
- gain public speaking and debating skills
- develop an interest in the parliamentary system through their involvement in a simulated parliamentary process.

The Youth Parliament is a project run each year by the State Council of YMCAs of Queensland. Parliament House was the venue for the sittings, with the consent of the Honourable Speaker of the Legislative Assembly.

During 2006–2007 the office provided 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.

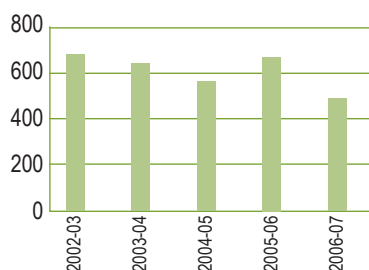
Community engagement generally

During 2006–2007 the office continued to support the government commitment to community engagement through the provision of legislation and access to legislation. Providing access to legislation is an intrinsic part of engaging with the community as it supports the democratic process.

During the year, the office's community engagement activities included:

- providing up-to-date legislation to the community free through its website <www.legislation.qld.gov.au>
- providing, as part of the drafting process, consultation drafts of legislation enabling the community to participate in policy processes
- continuing to provide information and assistance through both its telephone and email services
- supporting the Youth Parliament
- providing information sessions to various groups, enabling them to better understand legislation and how to access it.

Number of email queries answered



Future challenges

- ▶ Raising the awareness of the office, its role and services
- ▶ Continuing the strategy to inform and educate clients
- ▶ Continuing to work with the client focus group to improve existing legislative information publications
- ▶ Making electronic reprints official

Key result area 3 Organisational capability: Our staff

Goal

To maximise the capacity of our skilled and diverse staff to contribute to the achievement of corporate and government goals

Key issues and challenges

- ▶ Use best practice human resource management to retain and develop highly skilled staff
- ▶ Promote a workplace culture that encourages flexibility, equity and diversity
- ▶ Recognise and develop staff performance to meet the increasing demand for services
- ▶ Ensure staff have the appropriate skills, knowledge and resources to perform their duties

Strategies

- ▶ Involve staff in decision-making, planning and feedback
- ▶ Use a performance evaluation system and a rewards and recognition system
- ▶ Maintain a coordinated training and development program
- ▶ Use other best practice human resource management that embraces flexibility, equity and diversity and complies with whole-of-government legislative requirements
- ▶ Review, document and communicate issues that contribute to maximising staff capacity

Performance measures

- ▶ All staff given the opportunity to attend regular forums and significant number of staff involved in special purpose committees
- ▶ Promote office newsletter
- ▶ Performance evaluation and personal planning and development processes conducted for all staff
- ▶ Annual participation by staff in the Department of the Premier and Cabinet achievement awards
- ▶ Induction program reviewed and enhanced
- ▶ All staff provided with training in compliance with public sector standards
- ▶ Training provided to drafters and legislation officers in their respective functions reviewed annually
- ▶ Targeted training provided to each staff member to enhance performance
- ▶ Full staff levels maintained and skilled staff retained for a minimum of 5 years for drafters and 3 years for legislation officers
- ▶ Compliance with relevant legislation about human resource management and public sector principles about flexibility, equity and diversity
- ▶ Human resource policies and procedures reviewed as required

Our performance

Involving staff in decision-making, planning and feedback

The office recognises that its staff are its most valuable resource and that staff 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, information management, 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.

Performance evaluation, rewards and recognition

Performance evaluation

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 provides a formal feedback process that is supplemented by informal sessions during the year.

Rewards and recognition

During 2006–2007 the office again participated in the Department of the Premier and Cabinet's annual Achievement Awards. Award categories included innovation, client service, promoting diversity, leadership and collaboration, knowledge sharing, and strengthening regional and international relations.

Maintaining a coordinated training and development program

During 2006–2007 the office continued to provide internal and external training opportunities for staff. Most training is organised through the office's training team. The office training team includes representatives from all areas of the office as well as a human resources officer from the Department of the Premier and Cabinet. The training team uses staff personal development plans to identify training needs.

Training undertaken during 2006–2007 covered a wide range of areas, including:

- administrative law
- business processes
- client/customer service
- conducting productive meetings
- constitutional law
- deliberative creative thinking
- developing a workplace learning environment
- document and record management
- first aid and resuscitation
- FrameMaker (advanced)
- leadership
- parliamentary processes
- purchasing
- SARAS
- processes for subordinate legislation not made by the Governor.

The office also operates a system of on-the-job training similar to an apprenticeship. The system involves a junior officer working with a senior officer enabling a transfer of knowledge and skills. This means there is a quality control check of all work.

It takes a considerable amount of time to fully and properly train a drafter or a legislation officer. The comprehensive training process is complemented by a series of manuals that document office procedures and contain relevant checklists.

Using other best practice human resource management to retain and develop highly skilled staff

Retaining and developing highly skilled staff

At 30 June 2007 the office had 47.5 members of staff, including temporary and part-time staff, with one vacancy and one staff member away on secondment. The office has a funded establishment of 49.5, and a corporate services allocation of 2.75 staff at the Department of the Premier and Cabinet, making a total of 52.25. The office tends to have a very stable staff structure with turnover usually occurring at the lower levels. Staff who move on to other agencies are generally promoted to higher positions, indicating a high regard for the office's training and experience.

Embracing flexibility, equity and diversity

During 2006–2007 the office continued 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:

- Career management. The office encourages senior managers to undertake targeted leadership and management training, and actively supports training for all staff to enhance career prospects.
- 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, the office has zero tolerance of bullying and all staff attend regular seminars on this subject.
- 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 7 staff members continued to work on a part-time basis.
- Human resource management systems. The office uses best-practice HR systems and practices to support the management of diversity.
- 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 an intranet.

Workplace health and safety

During 2006–2007 the office's Workplace Health and Safety Committee continued to monitor workplace health and safety issues and ensure the office complied with the standards. The committee, consisting of staff from the office and a representative from the Department of the Premier and Cabinet.

Library

For the benefit of staff and other government departments the office maintains a substantial legal library managed by a qualified librarian.

Achievements made by the office's library during 2006–2007 included:

- consolidation and review of resources in accordance with the library collection management policy
- maintenance of a weekly library update service that includes contents pages and abstracts of legal journals and reports being made available on the intranet
- participation in the development of an eDRMS solution for the office.

Reviewing, documenting and communicating issues contributing to maximising staff capacity

The office maintained its commitment to maximising staff capacity through ongoing training and development based on identified individual and organisational development needs. The office continually reviews and publishes to staff a large suite of documentation covering human resource and work quality issues. This documentation includes policies and procedures, standards, notebooks, manuals and handbooks.

Future challenges

- ▶ Undertaking succession planning as part of HR planning processes
- ▶ Continuing to support diversity objectives by exploring opportunities for part-time work and encouraging groups (through traineeships or employment) in the government's targeted diversity areas
- ▶ Continuing to participate in whole-of-government initiatives to ensure the office contributes and benefits



Key result area 3 Organisational capability: Office systems

Goal

To continually improve the capacity of office systems and processes to contribute to the achievement of corporate and government goals within established frameworks

Key issues and challenges

- ▶ Implement risk management and continual improvement strategies for the office
- ▶ Ensure office systems and work practices support the office's goals
- ▶ Ensure recordkeeping systems are integrated into office systems and support the office in achieving its goals
- ▶ Enhance the management and integration of all the office's work

Strategies

- ▶ Apply risk assessment and continual improvement processes to the office business planning cycle
- ▶ Implement appropriate corporate governance procedures
- ▶ Implement a reliable recordkeeping system that is compliant and accountable

Performance measures

- ▶ Risk assessment undertaken and treatment strategies developed as required
- ▶ Improvement processes identified and implemented
- ▶ Compliance with relevant whole-of-government audit and legislative requirements
- ▶ Systematic review of office policies and procedures in comparison with the Department of the Premier and Cabinet policies and procedures
- ▶ Compliance with relevant legislation and information standards for recordkeeping
- ▶ Responsibility for recordkeeping is clearly assigned to staff
- ▶ Significant improvements to recordkeeping systems, procedures and practices

Our performance

Applying risk assessment and continual improvement processes

Risk assessment

During 2006–2007 the office conducted its annual review of risk management of the office's work. Risk management involves the implementation of policies, standards, procedures and physical changes to eliminate or minimise adverse risks, allowing the office to operate at an acceptable level of risk. The office's policy on risk management of reprints continues to be observed and the office's strategy of documenting and reviewing office procedures continues to prove its value as a basic risk management tool.

Continual improvement processes

During 2006–2007 the office continued a business improvement process to identify and prioritise opportunities for improvements to existing office processes and systems. Mapping of all office business processes is currently being carried out.

Implementing appropriate corporate governance procedures

Shared Service Initiative (SSI)

The office system of corporate governance has the advantage of access to the Shared Service Initiative. The Shared Service Initiative is a whole-of-government approach to corporate service delivery. The vision is to provide high-quality, cost-effective corporate support services across the Queensland Government. Shared

services is underpinned by standardising business processes, consolidating technology and pooling resources and expertise.

Under the shared service model, government agencies joined together in 'clusters' to share corporate services and resources through shared service providers (SSPs). From 1 July 2006 the hosting arrangements for the SSPs CorporateLink, PartnerOne and Corporate Solutions Queensland were consolidated from three host agencies to the Shared Service Agency (SSA) hosted by Queensland Treasury. Approximately 2,200 staff from these SSPs transitioned into the SSA.

The SSA leads the evolution and refinement of a whole-of-government model for shared service delivery and provides a dual role of policy and program management for the Shared Service Initiative as well as service delivery by PartnerOne, Corporate Solutions Queensland and CorporateLink. The SSPs continue to service their existing clusters of agencies through operating level agreements.

SSPs for Queensland Health and Education and the Arts (Corporate and Professional Services and the Corporate Administration Agency) and Parliamentary Services continue to operate under their existing hosts.

Corporate Solutions Queensland (CSQ) provides the following functions to the office:

- finance
- procurement
- human resources.

During 2006–2007 the Department of Employment and Training hosted CSQ as a separate entity, and will report on its activities in its annual report.

Implementing a reliable recordkeeping system

During 2006–2007 the office continued to comply with the *Public Records Act 2002*, which requires the office to make and keep full and accurate records of its activities, having regard to any relevant policy, standards and guidelines made by the State Archivist about the making and keeping of public records.

Through its Information Management Committee, the office continued to implement *Information Standard 40: Recordkeeping*, to ensure all records about the office's business were captured and kept by:

- complying with office recordkeeping procedures
- dealing with records in accordance with the office's approved retention and disposal schedule
- continuing to classify records in accordance with the office's corporate file plan.

Required reporting

Consultancies

During 2006–2007 the office engaged no consultants.

Overseas travel

During 2006–2007 no staff members of the office travelled overseas.

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.

The office publishes its own code of conduct. The code is available in both printed and electronic form. Copies of the office's code of conduct are available on request.

Waste management

During 2006–2007 the office continued to contribute to the Queensland Government's strategy in relation to waste management. The office waste management plan, developed in accordance with the *Environmental Protection (Waste Management) Policy 2000*, and published on the office's intranet, deals with the principles of environmental sustainability and sets out the plan's application to resource conservation and waste management in office operations.

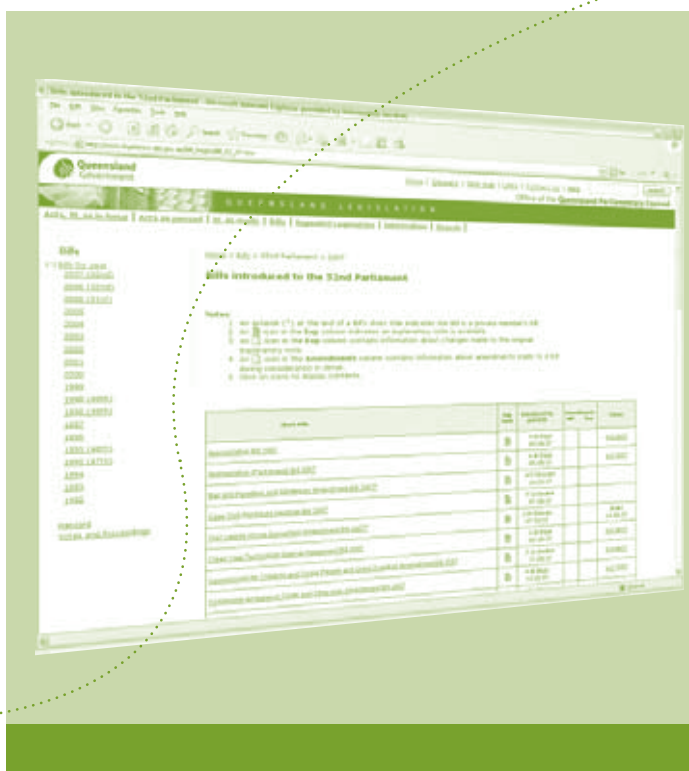
The plan specifically recognises waste management issues associated with the office's leased facilities. Though the waste management in relation to these facilities is addressed in the Department of the Premier and Cabinet Waste Management Strategic Plan, the office takes an active monitoring stance and, in collaboration with the Department of the Premier and Cabinet, seeks to exert influence to improve waste management practices. During the year the office continued to recycle waste, including paper and toner cartridges.

Whistleblowers Protection Act

During 2006–2007 the office was not required to deal with any new disclosure of suspected official misconduct.

Future challenges

- ▶ Systematic review of office policies and procedures
- ▶ Continued improvement of office recordkeeping systems, procedures and practices



Key result area 3 Organisational capability: Information technology

Goal

To continually improve information technology to contribute to the achievement of corporate and government goals within established frameworks

Key issues and challenges

- ▶ Use the most effective information technology to enhance office systems
- ▶ Use information technology to increase the efficiency of the drafting function
- ▶ Use information technology to improve the community's access to legislation
- ▶ Introduce improved information technology to contribute to staff development

Strategies

- ▶ Continually develop the office's strategic response to all of office requirements for advanced technology
- ▶ Enhance processes that streamline the drafting function of the office
- ▶ Enhance processes that streamline the production, supply and publication of legislation and legislative information and conform to applicable standards
- ▶ Enhance processes that better inform staff
- ▶ Enhance the office's electronic equipment and systems generally

Performance measures

- ▶ Planning phase of business improvement project completed
- ▶ An eDRMS that meets the office's business needs implemented
- ▶ Significant enhancements to the drafting function
- ▶ Improvements to presentation, utility, management and compliance of the office website
- ▶ Improvements to the security of supply of legislative publications
- ▶ Improvements to presentation, utility and management of the office intranet
- ▶ Ongoing compliance systems for asset management and replacement
- ▶ Upgrade security systems and processes where necessary

Our performance

Continually developing the office's strategic response to office requirements for advanced technology

Business improvement project

The office continues the process of a business improvement project, with the aim of reviewing existing business processes within the office and identifying and utilising emerging technologies to advance the production of legislation and legislative information. The process will map current processes, identify issues and opportunities and lay the foundations for future technology directions.

eDRMS

The office, in conjunction with the Department of the Premier and Cabinet, is working towards the implementation of an electronic Documents and Records Management System (eDRMS). An eDRMS will improve the office's information management and make it more compliant with government recordkeeping standards.

Enhancing processes that streamline the drafting function

The review of internal business processes has identified opportunities to further streamline core functions of the office. As a prelude to future work, the office has embarked on an exercise to automate the process for producing the *Queensland Legislation Annotations*. The system developed will interact with the existing legislative drafting tool and interface with a database to streamline the production of the annotations. It will act as a prototype for further database development within the office.

Added functionality has also been added to the code of the drafting tool through the use of customisable modules or plug-in technologies. Working with key personnel, the functionality of modules has been enhanced—for example, section numbering now offers additional options as a result of a legal drafter's input. The change benefited the whole office by saving the time involved in producing legislation.

Enhancing processes that streamline the production, supply and publication of legislation and legislative information and conforming to applicable standards

Office website

During 2006–2007 the office continued to make improvements to its website, including the implementation of a new search engine facility to better serve the needs of users. The new search engine enables users to save a regular or specific search, using either the title of a legislative instrument or simply a key word or phrase. If information included in the saved search changes in some way, the new facility generates an email to the user advising the search has changed.

Secure file transfer services

The office maintained the secure file transfer system for legislative documents traversing between Goprint, Parliament House and the office. The system takes advantage of the Govnet infrastructure and readily available web-based technologies. This streamlined process alleviates the need for additional infrastructure and adds another layer of security.

Enhancing processes that better inform staff

The intranet continues as the primary information tool for the office. The site is continually developing with the inclusion of new information. Also, a contributor/author has been added to all pages to provide end-users with a contact if they want to add new content or make changes to existing content. The site works as a portal to the Department of the Premier and Cabinet intranet, and Govnet, allowing deep linking to specific areas of information.

The recent addition of a projects area allows all staff to review the status of office projects. The office also takes advantage of the Department of the Premier and Cabinet's Microsoft Share Point Server, which allows multiple users in the office to interact with project and support documentation in a collaborative environment, with support for version control.

Enhancing the office's electronic equipment and systems generally

Involvement in whole-of-government IT initiatives

During 2006–2007 staff of the office participated in working groups and committees on the consistent user experience for government websites, the web steering committee for whole-of-government web initiatives, as well as localised web development committees.

Participation in annual IT forum

During 2006–2007 office staff attended the 11th annual Parliamentary Counsel's Committee IT Forum, held in Melbourne. The forum is attended by staff from offices of parliamentary counsel in Australia and New Zealand and provides an opportunity to share information about information technology, improvements to business systems and other matters common to all offices. Key topics covered at the Melbourne conference included:

- legislation life cycle and job management systems
- accessibility of legislation websites
- information management systems.

Guest speakers presented talks on drafting and publishing systems around the world, and on how vision-impaired people access legislation websites.

Future challenges

- ▶ Completion of the business improvement project
- ▶ Implementation of an eDRMS that meets the office's business needs
- ▶ Continuing enhancements to the drafting function
- ▶ Continuing improvements to the office's website and intranet

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Financial Statements 30 June 2007

Financial summary

Foreword

For the purposes of the Financial Administration and Audit Act 1977, the Office of the Queensland Parliamentary Counsel (the Office) is not a 'statutory body' and as such it operates as an output of the Department of the Premier and Cabinet (the Department) known as the 'Legislative Drafting, Advisory and Information Services'. This output is reported in the department's Income Statement by Outputs/Major Activities-Controlled.

The Income Statement (the Statement) for the office 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 discloses revenues and expenses recognised as part of the Income Statement of the department and include allocations for corporate support and executive management services.

Further information is provided in the Department of the Premier and Cabinet's 2006-2007 Annual Report.

	Notes	2007	2006
		\$'000	\$'000
Income from ordinary activities			
Revenue			
Output revenue	2	6,711	6,580
User charges	3	21	25
Other	4	95	68
Gains			
Gain on sale of plant and equipment		-	-
Total income from ordinary activities		6,827	6,673
Expenses from ordinary activities			
Employee expenses	5	5,123	4,894
Supplies and services	6	1,627	1,691
Depreciation and amortisation	7	67	57
Other		10	31
Total expenses from ordinary activities		6,827	6,673
Operating surplus/(deficit)		-	-

The above Income Statement should be read in conjunction with the accompanying notes.

1. Statement of Significant Accounting Policies

The office's Income Statement (the Statement) has been prepared in accordance with Australian Equivalents to International Financial Reporting Standards (AEIFRS). In particular, the statement complies with AAS 29 Financial Reporting by Government Departments, as well as the Treasurer's Financial Reporting Requirements for the year ended 30 June 2007, and other authoritative pronouncements.

The statement has been prepared to reflect the 'Income Statement 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 statement include allocations for corporate support and executive management services on the basis of employee full-time equivalent numbers.

A Balance Sheet by Outputs/Major Activities is not mandated by the Treasurer's Financial Reporting Requirements for the year ended 30 June 2007 and has not been prepared.

The accounting policies adopted by the office are generally consistent with those of the previous year.

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

The operations of the office were predominantly funded by the Consolidated Fund. The funds received were incorporated with the appropriation provided to the Department of the Premier and Cabinet. Appropriations provided under the Appropriation Act are recognised as revenue in the year in which the office obtains control over them.

User charges are recognised as revenues upon delivery of goods and services irrespective of whether an invoice has been issued. User charges are controlled by the office where they can be deployed for the achievement of the office's objectives.

Contributions of services are recognised only if the services would have been purchased if they had not been donated and their fair values can be measured reliably. Where this is the case, an equal amount is recognised as revenue and an expense.

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

Comparative information has been restated where necessary to be consistent with disclosures in the current period.

The Income Statement for this office and the associated notes have not been audited.

	2007	2006
	\$'000	\$'000
2. Reconciliation to payments from Consolidated Fund		
Output revenue		
Budgeted output appropriation	6,711	6,580
Output revenue recognised in the Income Statement	6,711	6,580
3. User charges		
Publications	15	25
User Charges - Other	6	-
	21	25
4. Other revenue		
Resources received below fair value	80	67
Other	15	1
	95	68
5. Employee expenses/Number of Employees		
Salaries, wages and allowances	4,193	3,985
Salary related taxes	304	312
Superannuation	492	475
Long service leave levy	74	71
Other	60	51
	5,123	4,894
Annual and sick leave expenses have been included in wages and salaries.		
• Number of Employees	51	52
The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.		
6. Supplies and services		
Advertising and promotions	9	12
Telecommunications	34	39
Motor vehicle costs	124	124
Building services	60	71
Maintenance	17	19
Professional services	196	160
Travel	10	22
Books, legislation and statutes	75	84
Administration costs	89	74
Other	1013	1,086
	1,627	1,691
7. Depreciation and amortisation expenses		
Depreciation and amortisation expenses for the financial year were charged in respect of:		
Property, plant and equipment	58	48
Intangibles	9	9
	67	57



Feedback survey 2006 – 2007

Dear Reader

We would appreciate you completing this survey about our annual report. Your comments will help us improve future reports to better meet your needs.

This survey may also be downloaded from the office's website through the 'About the OQPC' link.

Responses can be emailed to legislation.queries@oqpc.qld.gov.au or faxed to the office on **07 3229 6295**.

From: _____

Date: _____

Please circle, tick or comment as appropriate

Your overall impression	Poor	1	2	3	4	5	Excellent
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Readability	Poor	1	2	3	4	5	Excellent
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Ease of finding information	Poor	1	2	3	4	5	Excellent
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Would you like to see anything else included in the report?



Other comments:



Where are you from?

☐

Queensland Government

☐

local or Commonwealth government

☐

legal organisation

☐

general community

☐

other

Thank you for taking the time to complete the survey.

