

Office of the Queensland Parliamentary Counsel Annual Report 2008 – 2009

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Parliamentary Counsel 2009

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Letter of transmission

1 October 2009

The Honourable Anna Bligh MP
Premier of Queensland

Dear Premier

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

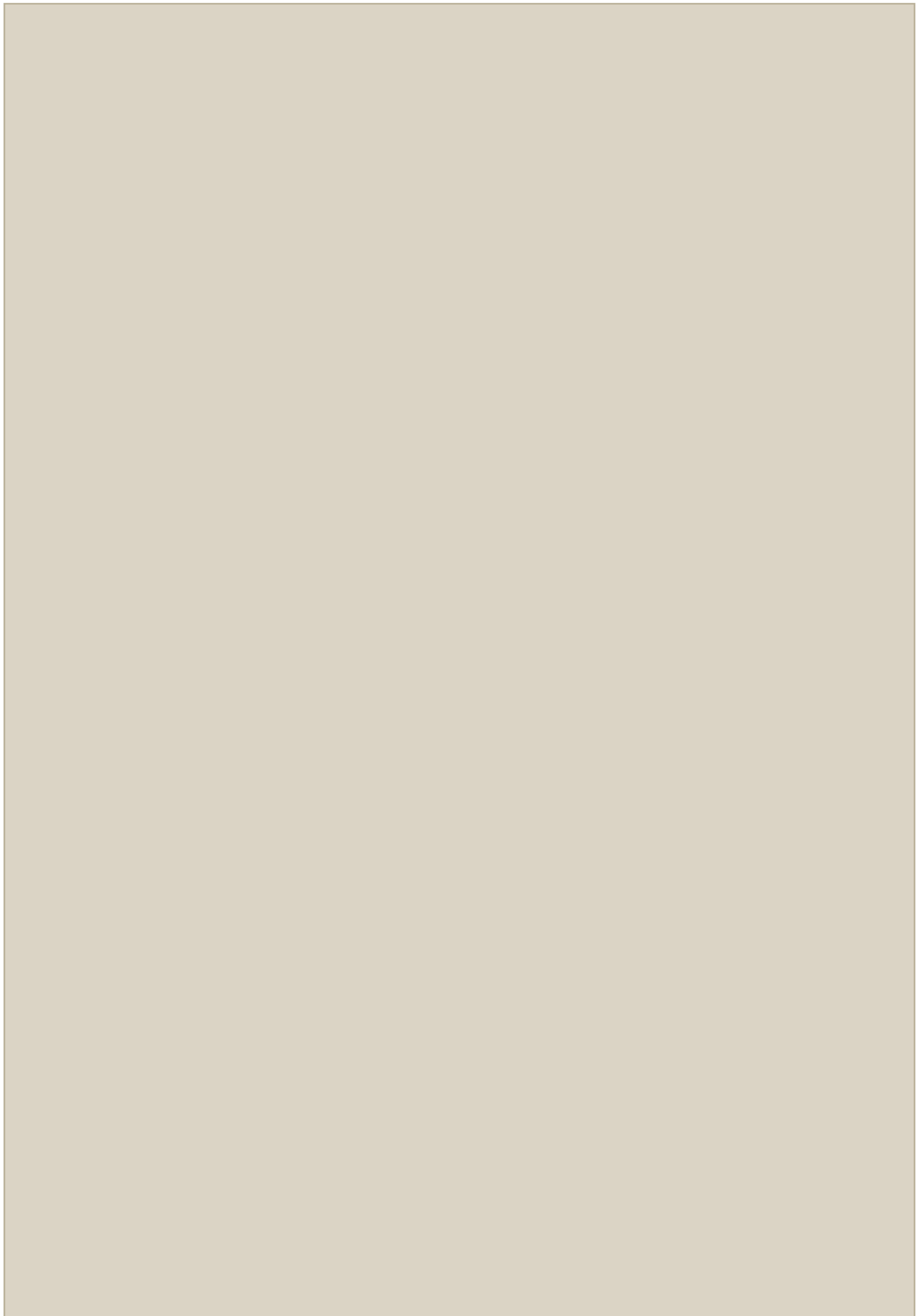
The report complies with the detailed requirements set out in the *Annual Reporting Guidelines for Queensland Government Agencies*.

The report covers the period 1 July 2008 to 30 June 2009.

A handwritten signature in blue ink, appearing to read "Peter Drew". The signature is fluid and cursive.

Peter Drew

Parliamentary Counsel





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Overview

Our key roles and functions

On 1 June 1992 the Office of the Queensland Parliamentary Counsel (the office) 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 of the 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 information about Queensland legislation
- making arrangements for electronic access to Queensland legislation and information about 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.



Fifth Australasian Drafting Conference: a group of drafters.

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

Group A departments 2008–09	Group B departments 2008–09	Group C departments 2008–09
<p>Community Safety</p> <ul style="list-style-type: none"> adult corrective services (excluding offender health services) <p>Employment, Economic Development and Innovation</p> <ul style="list-style-type: none"> responsibilities of the Minister for Tourism and Fair Trading (excluding art unions, casinos, golden casket, liquor licensing, machine gambling, racing, tourism) <p>Justice and Attorney-General (including Industrial Relations)</p> <p>Police</p> <p>Premier and Cabinet (excluding Arts)</p> <p>Transport and Main Roads</p> <p>Private Members (A)</p> <p>Parliamentary Counsel's Committee (A)</p>	<p>Communities</p> <ul style="list-style-type: none"> child protection services responsibilities of the Minister for Community Services and Housing and Minister for Women responsibilities of the Minister for Disability Services and Multicultural Affairs <p>Community Safety</p> <ul style="list-style-type: none"> responsibilities of the Minister for Police, Corrective Services and Emergency Services (excluding adult corrective services) <p>Education and Training</p> <p>Employment, Economic Development and Innovation</p> <ul style="list-style-type: none"> <i>Biodiscovery Act 2004</i> <i>Gene Technology Act 2001</i> responsibilities of the Minister for Tourism and Fair Trading (only art unions, casinos, golden casket, liquor licensing, machine gambling, racing, tourism) <p>Health</p> <p>Premier and Cabinet (only Arts)</p> <p>Public Works</p> <p>Treasury</p> <p>Private Members (B)</p> <p>Parliamentary Counsel's Committee (B)</p>	<p>Communities</p> <ul style="list-style-type: none"> motor racing events recreation (excluding natural resource recreation and education) sport responsibilities of the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships <p>Employment, Economic Development and Innovation</p> <ul style="list-style-type: none"> responsibilities of the Minister for Natural Resources, Mines and Energy and Minister for Trade responsibilities of the Minister for Primary Industries, Fisheries and Rural and Regional Queensland <p>Environment and Resource Management</p> <ul style="list-style-type: none"> responsibilities of the Minister for Climate Change and Sustainability <p>Infrastructure and Planning</p> <p>Private Members (C)</p> <p>Parliamentary Counsel's Committee (C)</p>

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, officers of government departments and entities, members of 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 those people to or for whom the office provides access to legislation through its publishing activities also, 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, including formatting copies of regulatory impact statements and explanatory notes accompanying significant subordinate legislation
- 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.

Strategic priorities

The office works towards its goals and contributes to the Government's ambitions by using three objectives.

Objective 1 Legislative drafting services	Goal: To provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard
Objective 2 Legislative publishing and information services	Goal: To ensure Queensland legislation is readily available by providing responsive publication, advisory and information services
Objective 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 its 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.

Monitoring our performance

The annual report provides a comprehensive overview of the office's performance and is the final reporting mechanism in the suite of corporate governance documents. OQPC's performance is also monitored through quarterly performance reports provided as part of the Queensland Government's Performance Management Framework. These quarterly reports allow the office to view its performance at regular intervals and adjust outputs as required.

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.

Our organisation

Management structure



OQPC Management Group (left to right, front to back) Peter Drew, Ian Larwill, Sue Pavasaris, Ian Beale, Theresa Johnson.

The Parliamentary Counsel manages OQPC generally through the office management group.

The objectives of the Management Group for 2008–09 were to:

- oversight the production by the office of the government’s legislative program
- provide general management and strategic direction for the office
- ensure the office’s continual improvement mechanism, its system of office committees, was operating effectively
- monitor office risk management
- monitor the office’s performance, use of resources and infrastructure
- monitor the office’s compliance with public service standards
- deal with management matters not dealt with in its committee system
- meet weekly.

The achievements for the Management Group for 2008–09 included:

- the successful production by the office of the government’s legislative program
- the development of the office’s 2009–10 strategic plan, and its business plan and risk register
- the review and approval of office policies and procedures

- driving an energetic recruitment program to ensure the office was well staffed
- overseeing all office activities and dealing with issues not otherwise dealt with in the office structure of groups and committees
- meeting weekly, with cancellations limited to 4 occasions only.

The office’s long established system of committees outlined at page 29 also contributed strongly to the general management of the office, its continual improvement processes and risk management.

Membership of the Management Group consists of the following—

Peter Drew, Queensland Parliamentary Counsel

Peter Drew was appointed Queensland Parliamentary Counsel in November 1997. As chief executive of the office he has overall responsibility for the production of draft legislation for the Government’s legislative program and the office’s considerable legislative publications. As Queensland Parliamentary Counsel he has participated as a member of the Australasian Parliamentary Counsel’s Committee, the committee of Parliamentary Counsel from all Australasian jurisdictions that oversees the drafting of national scheme legislation.

Peter joined the office in 1983 and has had extensive experience in drafting significant legislation and office management and practice over the ensuing period of 26 years. Peter entered the Queensland Public Service in 1972 while studying for a degree in law at the University of Queensland. After admission to the bar in 1974 Peter was employed as a prosecutor and Crown Prosecutor in the Solicitor General’s Office, gaining significant and extensive experience as counsel appearing before courts of summary jurisdiction, the District Court, Supreme Court and Court of Criminal Appeal. Before transferring to the office in 1983, Peter was employed during 1982–83 as a senior lawyer in the Constitutional and Legislation Branch of the Solicitor-General’s office.

Theresa Johnson, Deputy Parliamentary Counsel group A

Theresa Johnson was appointed Deputy Parliamentary Counsel in 2008. Theresa joined the office in 1991 and has had extensive experience in drafting significant legislation and office management and practice over the ensuing 18 years. Before joining the office, Theresa was a tenured lecturer at the Queensland University of Technology for constitutional law and administrative law and also tutored in constitutional law. She made a significant contribution by way of comment on the Review of the Office of the

Queensland Parliamentary Counsel by the Electoral and Administrative Review Commission in 1991 and was quoted significantly in the resulting report. Theresa played a significant role in the reform of office practice during the early 1990s. Theresa received her training as a drafter during 1986–89 with the Commonwealth Office of Parliamentary Counsel and before that had experience for 3.5 years as an articled clerk and litigation solicitor with a firm of solicitors in Brisbane. Theresa is an admitted solicitor with an honours degree in law from the University of Queensland and a Master of Law degree from Cambridge University.

Ian Larwill, Deputy Parliamentary Counsel group B

Ian Larwill was appointed Deputy Parliamentary Counsel in 2008. Ian joined the office in 1990 and has had extensive experience in drafting significant legislation and office management and practice over the ensuing 19 years. Before joining the office, Ian was employed in a firm of solicitors in Brisbane for 5 years as a law clerk, articled clerk and solicitor. Ian is an admitted solicitor with an Honours degree in law and a Bachelor of Commerce degree from the University of Queensland.

Ian Beale, Deputy Parliamentary Counsel group C

Ian Beale was appointed Deputy Parliamentary Counsel in 2008. Ian joined the office in 1995 and has had extensive experience in drafting significant legislation and office management and practice over the ensuing 14 years.

Before joining the office, Ian was employed as a solicitor in a firm of solicitors in Brisbane for 12 years and during that time had significant and extensive experience in litigation and commercial law practice.

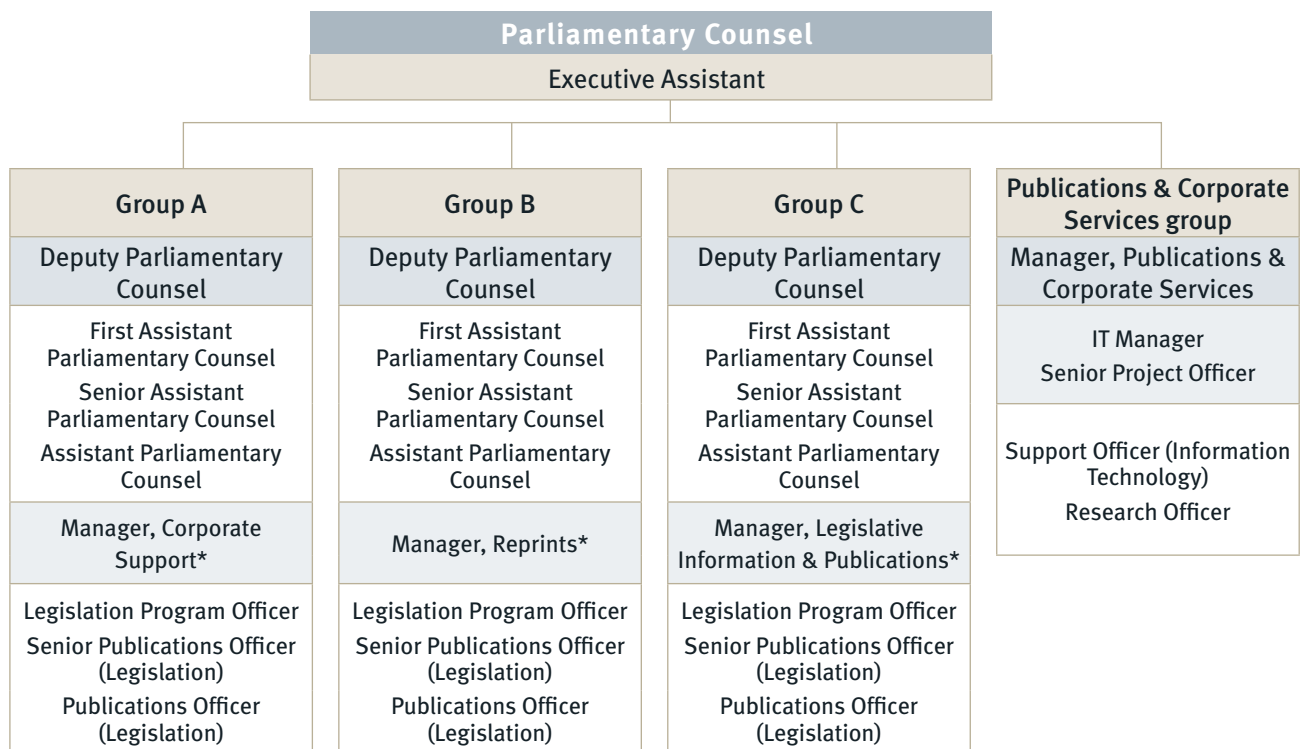
Ian is an admitted solicitor with an Honours degree in law, a Master of Law degree and a Bachelor of Arts degree from the University of Queensland.

Sue Pavasaris, Manager, Publications and Corporate Services

Sue Pavasaris was appointed to the position of Manager, Publications and Corporate Services in October 2000. As head of an office group and as the chair of several office committees, Sue has oversaw the production of office publications, IT development and information management generally. Prior to this Sue managed the Scientific Publishing Unit for the Department of Natural Resources and has also worked extensively in the private sector. Sue has professional membership of the Society of Editors (Qld), and the Australian Journalists Association. Sue has a Master of Journalism from the University of Queensland, a Diploma of Business (Management and Leadership) from the Australian Institute of Management and a Bachelor of Arts from Griffith University.

Organisational structure

Organisational Chart



* 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.



Our performance

Objective 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	<ul style="list-style-type: none"> ■ 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 <ul style="list-style-type: none"> ▶ 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 <ul style="list-style-type: none"> ▶ 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	Performance indicators
Strategies	<ul style="list-style-type: none"> ■ Deliver the Government’s legislative program 	<ul style="list-style-type: none"> ■ Quantity of legislation drafted (including page numbers): <ul style="list-style-type: none"> ▶ number of Bills provided ▶ number of amendments during consideration in detail provided ▶ number of instruments of subordinate legislation provided ■ Quantity of significant legislation drafted ■ Quantity and effectiveness of support services delivered
Performance indicators	<ul style="list-style-type: none"> ■ Deliver a drafting product of the highest standard 	<ul style="list-style-type: none"> ■ Quality—level of client satisfaction of direct government drafting clients (target 85%) ■ Host the Fifth Australasian Drafting Conference
	<ul style="list-style-type: none"> ■ Review, document and communicate issues that contribute to ensuring Queensland legislation is of the highest standard 	<ul style="list-style-type: none"> ■ Quality assurance system actively promoted ■ Drafting products and services reviewed ■ Increased client awareness of drafting quality issues by client agencies and other external bodies



Key performance

Delivering the Government's legislative program

Quantity of legislation delivered

During 2008–09 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 supplied for tabling 7 private members' Bills and 52 non-government amendments and 152 government amendments for Bills that were tabled in the Legislative Assembly.

Queensland Acts assented to and subordinate legislation made, 2004–09*

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
2004–05	70	4,446	17	425	354	4,128	424	8,574
2005–06	76	4,376	20	417	365	3,337	441	7,713
2006–07	56	3,288	13	300	319	4,059	375	7,347
2007–08	70	4,235	20	429	432	4,003	502	8,238
2008–09	58	4,964	23	823	378	5,829	436	10,793

* Figures in the table are the Acts assented to and subordinate legislation made by the Governor in Council 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.

Bills and subordinate legislation drafted, 2008–09*

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
2008–09	86	6,615	29	1,028	385	5,830	471	12,445

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 1992* (see section 2, Definitions).

In 2008–09, examples of provisions that provide for exempt subordinate legislation included:

- *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
- *Public Trustee Act 1978*, section 17(6) [gazette notice fixing fees and charges]
- *University of Queensland Act 1998*, section 53
- *University of Southern Queensland Act 1998*, section 57
- *University of the Sunshine Coast Act 1998*, section 60



Fifth Australasian Drafting Conference: Evan Moorhead MP addresses the conference on behalf of the Scrutiny of Legislation Committee.

Significant legislation drafted

During 2008–09 the office continued to draft legislation supporting the Government's ambitions.

Legislation of particular significance, for which drafting services were provided during the year, is set out in the following pages.

Bills and Acts

Adoption Bill 2009

- provides for the adoption of children and for access to information by parties to an adoption

Adult Proof of Age Card Act 2008

- provides for the issue of an Adult Proof of Age Card to Queensland residents who are 18 years of age or over and may not hold a driver licence or may not wish to use their driver licence as a proof of age credential

Airport Assets (Restructuring and Disposal) Act 2008

- facilitates the restructure and sale of the State's interests in airports in Brisbane, Cairns and Mackay

Animal Management (Cats and Dogs) Act 2008

- provides for the identification and registration, and promotion of responsible ownership, of cats and dogs and the effective management of regulated dogs

Charter of Budget Honesty Bill 2009

- establishes a charter to facilitate public scrutiny of fiscal policy and performance by providing for the release of particular information and for the costing of policy proposals of the Government and the Opposition during an election period

Coroners and Other Acts Amendment Bill 2009

- includes amendments addressing the under-reporting of health care related deaths—a coronial issue raised in the *Report of the Queensland Public Hospitals Commission of Inquiry* (the Davies Report)

Corrective Services and Other Legislation Amendment Bill 2009

- includes amendments abolishing resettlement leave and reintegration leave for prisoners and restricting a prisoner's ability to sell or otherwise dispose of artwork produced by the prisoner while in a corrective services facility

Criminal Code and Jury and Another Act Amendment Act 2008

- includes amendments allowing for judge alone trials for most criminal proceedings in the higher courts and for juries to reach a majority verdict in a criminal trial for most offences

Criminal Proceeds Confiscation and Other Acts Amendment Act 2009

- includes amendments that strengthen the power to restrain and forfeit proceeds of illegal activity

Electoral Amendment Act 2008

- contains amendments to increase transparency relating to political donations

Environmental Protection and Other Legislation Amendment Act (No. 2) 2008

- amends the *Environmental Protection Act 1994* to provide for a number of matters relating to protection of the environment, including, for example, establishing noise standards, providing for the giving of clean-up notices to prevent or minimise harm to the environment and providing for substantial penalties for stated offences that used to be offences under subordinate legislation

Financial Accountability Act 2009

- provides for the funding and financial accountability of the public sector

Fisheries Amendment Act 2008

- provides for a defence, to fisheries offences, applying to Aboriginal and Torres Strait Islander persons acting under their tradition or custom for a personal, domestic or non-commercial communal need

Greenhouse Gas Storage Act 2009

- helps to reduce the impact of greenhouse gas emissions by facilitating greenhouse gas geological storage
- reserves to the State reservoirs that may be used to store greenhouse gases and establishes a regulatory regime for exploration for and the use of such reservoirs

Guide, Hearing and Assistance Dogs Act 2009

- includes measures to help people with a disability who rely on guide, hearing or assistance dogs to have independent access to the community, and to ensure the quality and accountability of guide, hearing and assistance dog training services

Objective 1 Legislative drafting services**Delivering the Government's legislative program****Health and Other Legislation Amendment Bill 2009**

- prohibits smoking in a motor vehicle containing a child under 16 years if the vehicle is being used privately
- requires medical practitioners to report particular types of misconduct by other medical practitioners to the Medical Board of Queensland

Liquor and Other Acts Amendment Act 2008

- implements recommendations arising from a review of the *Liquor Act 1992* and amends that Act to give greater prominence to the objective of minimising harm caused by alcohol abuse and misuse

Queensland Civil and Administrative Tribunal Act 2009 and the Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009

- establish the Queensland Civil and Administrative Tribunal (QCAT) to provide for the reform of ways in which people may seek review of administrative decisions, and amend over 200 instruments to give QCAT jurisdiction to hear and decide matters currently dealt with by other tribunals and administrative entities

Residential Tenancies and Rooming Accommodation Act 2008

- sets out rights and obligations for tenants and residents and for lessors, agents and accommodation providers renting residential premises in Queensland

Right to Information Act 2009 and the Information Privacy Act 2009

- provide a new legislative framework for access to government information and amendment of personal information, and provide privacy obligations in relation to the collection and handling of personal information in the public sector

Sustainable Planning Bill 2009

- replaces the *Integrated Planning Act 1997* and provides for a continuation of the legislative framework to integrate planning and development assessment in the State and to manage development
- amends 61 other Acts to make consequential or related amendments

Telecommunications Interception Act 2009

- establishes a recording, reporting and inspection regime in relation to telecommunication interceptions

**Transport and Other Legislation Amendment Act 2008**

- includes amendments to further protect persons and property on public transport

Transport (New Queensland Driver Licensing) Amendment Act 2008

- includes amendments providing for the—
 - › introduction of a range of new smartcard products
 - › capture and storage of digital photos and digitised signatures
 - › access and release of electronically stored information
- amends the *Police Powers and Responsibilities Act 2000* to allow police officers to access the digital photos and electronically stored information in particular circumstances

Water Supply (Safety and Reliability) Act 2008

- provides for the safety and reliability of water supply by—
 - › incorporating the existing regulatory framework in the *Water Act 2000* for service providers and dam safety
 - › introducing new regulatory frameworks for recycled water and drinking water primarily for the protection of public health
- includes amendments directed at implementing stage 2 of the south-east Queensland water grid

Workplace Health and Safety and Other Legislation Amendment Act 2008

- amends the *Workers' Compensation and Rehabilitation Act 2003* to provide for new entitlements for dependants of sufferers of work related latent onset injuries such as mesothelioma

Subordinate legislation**Body Corporate and Community Management (Accommodation Module) Regulation 2008****Body Corporate and Community Management (Commercial Module) Regulation 2008****Body Corporate and Community Management (Small Schemes Module) Regulation 2008****Body Corporate and Community Management (Standard Module) Regulation 2008**

- provide for a comprehensive form of internal governance for community titles schemes, including residential units, hotels, business parks and commercial offices, having diverse management and administrative needs



Civil Liability Amendment Regulation (No. 1) 2008

- contains amendments that provide better guidance as to where injuries sit within the injury scale and to ensure there is parity between different injuries of comparable severity

Fisheries Amendment Regulation (No. 5) 2008

- amends the *Fisheries Regulation 2008* to ensure a fair allocation of fisheries resources between all users and the profitability and ecologically sustainable development of the fisheries by restructuring the licences and authorisations available to fishers, amending fish size, fish take and in-possession limits (in particular for sharks and rays), restricting access to certain net fisheries and limiting the use of specific types of nets

Governors (Salary and Pensions) Amendment Regulation (No. 1) 2008

- provides for the Governor’s annual salary to be equal to 90% of the amount to which a Supreme Court Judge, other than the Chief Justice or the President of the Court of Appeal, is entitled to be paid

Legal Profession Amendment Regulation (No. 2) 2008

- increases to \$1500 the threshold amount of total legal costs up to which a law practice is exempted from the requirement to disclose details of legal costs to a client

Marine Parks (Moreton Bay) Zoning Plan 2008

- aims to conserve the marine environment in the Moreton Bay Marine Park and ensure the sustainable use of the park by present and future generations
- establishes zones with varying levels of protection and also establishes designated areas to manage the activities that may be carried out in particular areas

Mining and Other Legislation (Safety and Health Amendment Regulation (No. 1) 2008

- provides for a safety and health fee to cover the cost of government activities carried out to ensure the safety and health of workers in the mining and explosives industries

Transport Operations (Marine Pollution) Regulation 2008

- gives effect to the International Convention for the Prevention of Pollution from Ships, 1973, commonly known as MARPOL, and continues the legislative regime for the prevention and minimisation of the release of ship-sourced pollutants into Queensland coastal waters

Transport Operations (Road Use Management—Fatigue Management) Regulation 2008

- imposes stricter duties and other requirements on drivers of heavy vehicles, and other persons responsible for the activities of those drivers, for managing the fatigue of the drivers

Quantity and effectiveness of support services delivered

During 2008–09 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 2008–09 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 2008–09 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. During 2008–09 the office formatted and published 1,293 pages of regulatory impact statements and 636 pages of explanatory notes to accompany significant subordinate legislation.



Objective 1 Legislative drafting services**Delivering the Government's legislative program****Certification**

The office certifies subordinate legislation if it is satisfied the subordinate legislation is lawful and has sufficient regard to fundamental legislative principles. 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. During the year, the office considered every instrument of subordinate legislation drafted by it before either certifying or refusing to certify it.

Staged expiry of subordinate legislation

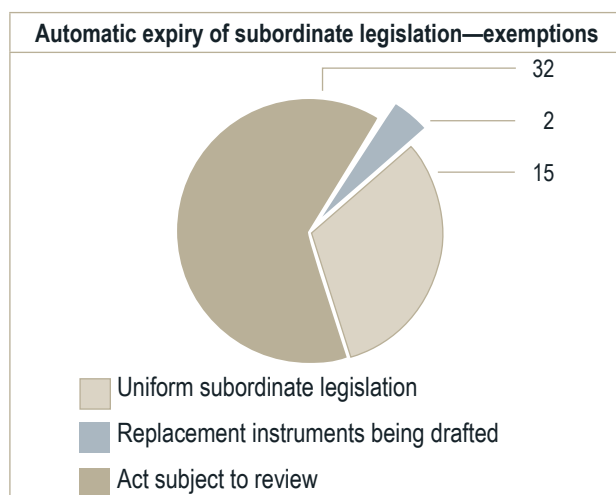
The office continued its role of monitoring and responding to the expiry of subordinate legislation under the *Statutory Instruments Act 1992*.

Subordinate legislation subject to part 7 of the *Statutory Instruments Act 1992* expires automatically approximately 10 years after its making, unless the subordinate legislation is sooner repealed, it expires, or a regulation is made deferring or exempting it from expiry. Exemptions from expiry are strictly limited and an exemption is renewable on two grounds only, where:

- 1 the subordinate legislation is substantially uniform or complementary with legislation of the Commonwealth or another State
- 2 the Act, or a provision relating to the subordinate legislation, 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.

At the end of 2008–09 there were 49 instruments subject to exemption. The chart below shows the number of items of subordinate legislation under each exemption category.

**Delivering a drafting product of the highest standard**

During 2008–09 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 2008–09 the office achieved an overall satisfaction rate of 92.94% from responses received from clients.

The drafting process

During 2008–09 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
- the availability of draft legislation when requested and in the format requested
- being responsive to requests and queries, including being available for discussions
- the provision of information on the progress of drafting
- the provision of incidental advice, for example, about—
 - › the drafting process
 - › other relevant legislation or agencies
 - › general drafting matters.

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 2008–09 the office achieved an average client satisfaction rating of 91.58% 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 in performing the function of drafting legislation.

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 2008–09 the office achieved an average client satisfaction rating of 92.97% 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 in performing the functions of drafting legislation.

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
- the likely attitude of the Scrutiny of Legislation Committee to any particular breach
- ways to avoid or minimise a potential breach of FLPs.

The office provides advice on FLPs in two main ways.

Firstly, the office includes a stream of comments on the operation of FLPs within the drafts of legislation provided to clients. This process is particularly effective because the comment is associated with the specific text to which it relates and becomes part of the normal consideration by clients of the ongoing drafts.

Secondly, the office maintains a briefing note system in relation to Bills and significant subordinate legislation that are required to go to Cabinet for approval for various purposes. On each occasion a proposal appears in the Cabinet document system, the office is able to provide a formal briefing note about compliance with FLPs to the Department of the Premier and Cabinet and gives a copy of the note to the instructing department. This process facilitates a whole-of-Government decision on the operation of the FLPs concerned.

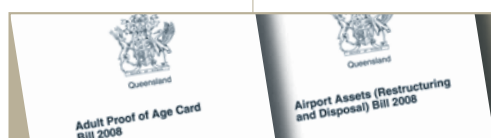
During 2008–09 the office achieved an average client satisfaction rating of 93.87% for advice provided on the application of fundamental legislative principles.

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 FLPs. This approach minimised 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 2008–09 the office achieved an average client satisfaction rating of 93.32% for its drafting product.





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

During 2008–09 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.

Parliamentary Counsel Committee's Fifth Australasian Drafting Conference

On behalf of the Australasian Parliamentary Counsel's Committee (PCC) the office hosted the Fifth Australasian Drafting Conference. The PCC consists of the heads of the offices of Parliamentary Counsel for the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and New Zealand and the head of the Office of Legislative Drafting for the Commonwealth. The PCC provides a forum for discussion about the development of legislation, the preparation of uniform and model legislation and the management of those drafting offices. The theme of the Fifth Australasian Drafting Conference was national scheme legislation and current developments in drafting.

The Fifth Australasian Drafting Conference was held in the Parliamentary Annexe, Parliament House from 23 to 25 July 2008. The conference was attended by 113 drafters from the following offices:

- ▶ Commonwealth Office of the Parliamentary Counsel
- ▶ Commonwealth Office of Legislative Drafting and Publishing
- ▶ Australian Capital Territory Parliamentary Counsel's Office
- ▶ New South Wales Parliamentary Counsel's Office
- ▶ Northern Territory Office of the Parliamentary Counsel

- ▶ Queensland Office of the Parliamentary Counsel
- ▶ South Australia Office of Parliamentary Counsel
- ▶ Tasmania Office of Parliamentary Counsel
- ▶ Victoria Office of the Chief Parliamentary Counsel
- ▶ Western Australia Parliamentary Counsel's Office
- ▶ New Zealand Parliamentary Counsel Office
- ▶ Singapore Attorney-General's Chambers
- ▶ Hong Kong, Law Drafting Division, Department of Justice
- ▶ Papua New Guinea Parliament
- ▶ Public Accounts Committee, Bougainville Parliament
- ▶ Scrutiny of Legislation Committee (Qld).

Major speakers at the conference included:

- ▶ Paul Lucas, MP, Deputy Premier, who opened the conference
- ▶ the Honourable Paul de Jersey AC, Chief Justice of Queensland
- ▶ Professor James Allan Garrick, Professor of Law, the University of Queensland
- ▶ Mr Evan Moorhead, MP, representing Queensland's Scrutiny of Legislation Committee
- ▶ all Australian Parliamentary Counsel.

Topics for discussion included:

- ▶ plain English drafting
- ▶ intergovernmental reform
- ▶ referral of matters to the Commonwealth
- ▶ development of the Uniform Civil Procedure Rules
- ▶ the impact of human rights legislation
- ▶ ethical issues for drafters
- ▶ cross-border justice scheme.

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 making.

Drafting products and services

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.

Drafters use a range of techniques to expose the underlying policy behind an item of legislation, while still drafting legislation that is accurate and unambiguous. These techniques 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 and help establish context, relevance and understanding.

Client awareness of drafting quality issues

The Queensland Legislation Handbook

During 2008–09 the office continued to make available The Queensland Legislation Handbook, which forms part of the 'Governing Queensland' suite of handbooks.

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

information and procedures for the realisation of policy in the form of 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 2008–09 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 2008–09 the office continued to publish on its website guidelines for drafting university exempt instruments and local government exempt instruments.

Future challenges

- › Delivering an ongoing legislative program at continuing high levels of reform and quantity
- › Continuing to improve office documentation, including drafting standards, precedents and procedures.
- › Contributing to the drafting of national scheme legislation.



Objective 2 Legislative publishing and information services

Goal	To ensure Queensland legislation is readily available by providing responsive publication, advisory and information services
Key issues and challenges	<ul style="list-style-type: none"> ■ 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	Performance indicators
Strategies	<ul style="list-style-type: none"> ■ Timely supply of: <ul style="list-style-type: none"> ▶ 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 	<ul style="list-style-type: none"> ■ Quantity of legislation supplied, including number of pages of: <ul style="list-style-type: none"> ▶ 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 significant subordinate legislation ▶ 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 <ul style="list-style-type: none"> ▶ 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%)
Performance indicators	<ul style="list-style-type: none"> ■ Publish up-to-date reprints of legislation in printed and electronic form 	<ul style="list-style-type: none"> ■ Quantity of up-to-date reprints of legislation published, including number of pages of: <ul style="list-style-type: none"> ▶ hard copy reprints ▶ electronic reprints ■ Timeliness <ul style="list-style-type: none"> ▶ 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% within 2 weeks of commencement of the amendment) ▶ Urgent reprints identified and reprinted as soon as possible ■ Substantial improvements to publishing and information services

	<ul style="list-style-type: none"> ■ Provide up-to-date information about Queensland legislation in printed and electronic form and by other services 	<ul style="list-style-type: none"> ■ Quantity of information about Queensland legislation prepared, including number of pages of: <ul style="list-style-type: none"> ▶ 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 Update to Queensland Legislation ▶ Cumulative Weekly Update of Queensland Legislation Reprints ■ Timeliness <ul style="list-style-type: none"> ▶ 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
	<ul style="list-style-type: none"> ■ Review, document and communicate issues that contribute to improving the availability of legislation and legislative information 	<ul style="list-style-type: none"> ■ Increased awareness of clients and others of accessibility issues and developments

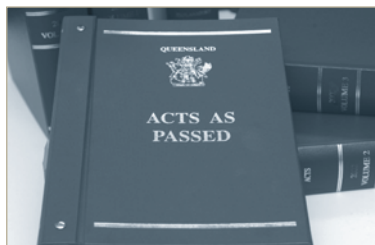
Key performance

Timely supply of Bills for introduction, passage and assent

Bills through all stages of Parliament and assent

During 2008–09 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 and erratum for explanatory notes when tabled
- published, on its website, all amendments made to Bills during consideration in detail and explanatory notes for amendments.



Timely supply of legislation

Acts as passed

During 2008–09 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 2008–09 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 tables of subordinate legislation as made
- explanatory notes and regulatory impact statements prepared for significant subordinate legislation as made.

Objective 2 Legislative publishing and information services

Timely supply of legislation

Annual volumes

During 2008–09 the office published the 2008 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 2008–09 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 of subordinate legislation for gazettal.

The office also met 100% of other deadlines for printed legislative publications, such as the annual volumes, for which the office target is 90%. This performance measure counts the percentage of printed publications prepared in time to meet supply.

Publishing up-to-date reprints of legislation**Reprints of legislation****Queensland Legislation Reprints series (hard copy reprints)**

During 2008–09 the office published 281 hard copy reprints (31,513 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, including reprints of unamended legislation and consolidations of amended legislation. Reprints in this series 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, 2005–09

Year	2005–06	2006–07	2007–08	2008–09
Hard copy reprints				
Quantity	211	256	236	281
No. of pages	22,566	26,934	28,166	31,513
Electronic reprints				
Quantity	893	976	998	957
No. of pages	125,089	140,035	154,685	147,476



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 2008–09 the office prepared 957 electronic reprints (147,476 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.

Timely access to reprints of legislation

During the year the office published 96.97% of electronic reprints within two weeks of the commencement of an amendment to a reprint. The office target is 75%.

During 2008–09 the office monitored its ability to prepare electronic reprints within an even faster period of five working days from the commencement of the amendment. The office was able to prepare 79% of electronic reprints within five working days. The office will continue to monitor its performance in reprint preparation time.

Reprints Risk Management Policy

During 2008–09 the office continued to manage reprint risks through the application of the *Reprints Risk Management Policy*. Under this policy the office recognises varying levels of risk for reprints, including high risk, urgent and sensitive, and responds to the varying levels of risk with different checking mechanisms.

Substantial improvements to publishing and information services

In 2008–09 the office implemented the new style headers and footers (which were introduced after a comprehensive review in 2007) to 357 items of legislation in the Queensland Legislation Reprints series. In 2009–10 the office will continue incorporating the new style and presentation to the Queensland Legislation Reprints series.

Using the Reprints Act

During 2008–09 the office continued to use the *Reprints Act 1992* to apply editing techniques to improve legislation. Reprints Act powers are mainly applicable to hard copy reprints. Electronic reprints may incorporate very minor consequential amendments made under the Reprints Act. 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.

Providing up-to-date information about legislation

Information about Queensland 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 2008–09 the office published two volumes of current annotations (2,665 pages) and one volume of repealed annotations (760 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.

Objective 2 Legislative publishing and information services

Providing up-to-date information about legislation

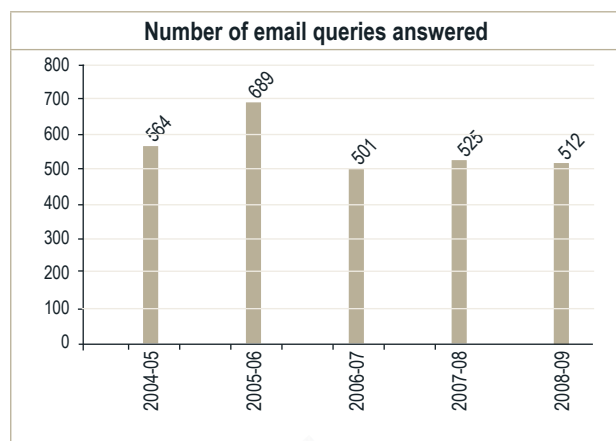
Cumulative and Weekly Updates to Queensland Legislation

During 2008–09 the office continued to supply electronic Cumulative Updates to the Queensland Legislation Annotations and also publish the hard copy Weekly Update to Queensland Legislation Annotations. These publications show the weekly changes to Queensland legislation and are designed to complement the information on the office's website. The Weekly 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 1,199 pages of the Weekly Update. The publication is available for purchase or subscription from SDS. The electronic Cumulative Update uploaded on the website contained 6,833 pages in electronic form and is free to the public at <www.legislation.qld.gov.au>.

Legislation information service

As part of its functions under the *Legislative Standards Act 1992*, the office continued to provide an email and telephone (hotline) information service. The service provides information about the office's products and services including information about Queensland legislation. The information service may be accessed via email <legislation.queries@oqpc.qld.gov.au> or via the telephone hotline 07 3237 0466.



Timely access to information about legislation

The office supplies notification tables and weekly and monthly indices for subordinate legislation and regulatory impact statements and explanatory notes that accompany the subordinate legislation. During 2008–09 the office met 100% of the deadlines for the supply of information about legislation.

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

Ongoing access to electronic versions of legislation and legislative information

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

- 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)
- information about repealed legislation
- an annotated history of current Queensland legislation (including superseded versions)
- an annotated history of repealed Queensland 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.

Tables of changed laws and references

Legislation is frequently amended or replaced and, as a result, the way things are referred to may be changed or replaced.

During 2008–09 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).

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

Included with the legislation database are associated tables for each type of legislation.

Obtaining publications

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

Awareness of the office and its role and community engagement

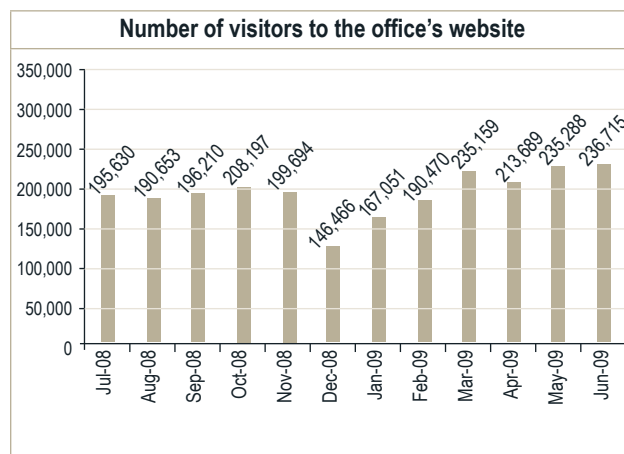
The office uses information sessions to raise awareness of its role and functions and to provide opportunities for client feedback.

During 2008–09 the office provided:

- an information session to the Youth Parliament
- several information sessions about the office and its role as part of the Department of the Premier and Cabinet’s staff induction program
- a presentation on the functions of the office to newly elected Members of Parliament
- a presentation to instructing officers from the Department of Environment and Resource Management.

Providing access to legislation is an intrinsic part of engaging with the community as it supports the democratic process. The office recognises the importance of community engagement and, during the year, the office’s community engagement activities included:

- providing up-to-date legislation free to the community 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 information service
- supporting the Youth Parliament.



Objective 2 Legislative publishing and information services

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

Youth Parliament

The 2008–09 Youth Parliament 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 2008–09 the office provided support for the Youth Parliament by:

- helping 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

- providing a training session for members of the Youth Parliament covering a range of topics, including Queensland’s legislative power, plain English drafting, fundamental legislative principles, creating statutory bodies, drafting considerations for amending legislation, style and format for legislation and general drafting tips.

Future challenges

- › Significantly increasing the level of automated preparation and publication of legislative information
- › Raising awareness of the office, its role and services
- › Monitoring the turnaround time of electronic reprints.



Fifth Australasian Drafting Conference: a new drafter gives feedback to the Australasian Parliamentary Counsel.



Objective 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	<ul style="list-style-type: none"> ■ 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	Performance indicators
Strategies Performance indicators	<ul style="list-style-type: none"> ■ Involve staff in decision-making, planning and feedback 	<ul style="list-style-type: none"> ■ All staff given the opportunity to attend regular forums and significant number of staff involved in special purpose committees ■ Office newsletter promoted
	<ul style="list-style-type: none"> ■ Use a performance evaluation system and a rewards and recognition system 	<ul style="list-style-type: none"> ■ 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
	<ul style="list-style-type: none"> ■ Maintain a coordinated training and development program 	<ul style="list-style-type: none"> ■ All staff provided with training in compliance with public sector standards ■ Training provided to all staff in their respective functions reviewed annually ■ Targeted training provided to each staff member to enhance performance ■ Regular training committee meetings held to coordinate the provision of training for all staff
	<ul style="list-style-type: none"> ■ Use other best practice human resource management that embraces flexibility, equity and diversity and complies with whole-of-Government legislative requirements 	<ul style="list-style-type: none"> ■ 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, workplace health and safety, and public sector principles about flexibility, equity and diversity
	<ul style="list-style-type: none"> ■ Review, document and communicate issues that contribute to maximising staff capacity 	<ul style="list-style-type: none"> ■ Human resource policies and procedures reviewed as required ■ Role descriptions reviewed under the Lominger system



Key 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 in areas including training, strategic projects, 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

DPC Achievement Awards



In 2008 and 2009 the office again participated in the Department of the Premier and Cabinet's annual Achievement Awards. Award categories included leadership, strategy and advice, enhancing governance systems and practices, leadership in client service and delivery, promoting and coordinating the Government's priorities, and outstanding achievement.



In 2008 the office received recognition in the leadership, strategy and advice category for the work of its drafter, Paul McFadyen, with the Welfare Reform Implementation Team and the Indigenous Government Coordination Office on the *Family Responsibilities Commission Act 2008*. This project was also awarded the Director-General's award, presented to a project or team who demonstrates achievements that exceed core expectations as selected at the discretion of the Director-General.



In the 2009 DPC Achievement Awards, in recognition of the extensive work the office had undertaken over the past year, the office received recognition as follows:

- leadership strategy and advice—
 - › for the drafting work of Theresa Johnson and David Harwood, along with Information Policy and Legislation Reform and Cabinet Services and Implementation for the right to information reform, including the *Right to Information Act 2009* and the *Information Privacy Act 2009*
 - › for the drafting and drafting related work of Steve Berg, Inderjeet Sidhu and 37 staff members of the office on the *Queensland Civil and Administrative Tribunal Act 2009* and the *Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Act 2009*
- enhancing governance systems and practice—
 - › for the TRIM eDRMS project undertaken by Sue Pavasaris, Brett Allan, Stacey Talbot and other staff members of the office

- leadership in client service and delivery—
 - › for the office’s hosting of the Fifth Australasian Drafting Conference and the Parliamentary Counsel Committee IT Forum
- outstanding individual achievement—
 - › for Paul McFadyen’s drafting work on the Sustainable Planning Bill 2009
- Director-General’s award—
 - › for the office’s work on the right to information reform



DPC Australia Day Achievement Awards

The office participated in the 2009 Department of the Premier and Cabinet Australia Day Achievement Awards held on 22 January 2009. The awards celebrated the success of the department and highlighted individual achievement over the past year. The two award categories were:

- outstanding contribution to the work of the Department during the past year
- outstanding service, awarded in recognition of distinguished service over a number of years.

Brett Allan, from the office, received an Australia Day Achievement Award for his outstanding service as IT Manager to the office in a particularly busy year.



Maintaining a coordinated training and development program

During 2008–09 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.

The Department of the Premier and Cabinet has run a fully funded competency development program which the office has had access to in 2008–09. The program offers training in many areas including management, leadership and legislation. Many of the office’s staff have accessed the training offered to meet their identified training needs.

Training undertaken during 2008–09

business writing
 constitutional law
 corporate induction
 corporate services finance training
 first aid and resuscitation
 FrameMaker
 interview skills
 legal information sessions offered by Crown Law
 level 2 purchasing accreditation
 Lominger
 negotiation
 parliamentary processes
 project management
 right to information and information privacy
 SAP finance training
 study and research assistance scheme (SARAS)
 supervision and management
 TRIM eDRMS training
 workplace harassment and bullying.

The office also operates a system of on-the-job training, similar to an apprenticeship, in relation to its drafting and publishing functions. 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.

Objective 3 Organisational capability: Our staff

Using other best practice human resource management

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

Retaining and developing highly skilled staff

At 30 June 2009 the office had a full-time equivalent (FTE) of 48.6 members of staff, including temporary and part-time staff, with 3 vacancies and 1 staff member away on secondment. The office has a funded establishment of 48.6 and a corporate services allocation of 13 staff at the Department of the Premier and Cabinet, making a total FTE of 61.6. Traditionally the office has tended to have a very stable staff structure with turnover usually occurring at the lower levels. However, in line with the public sector generally, the office is currently experiencing increased levels of retirement and is engaged in vigorous recruitment of staff. Staff who move on to other agencies are generally promoted to higher positions, indicating a high regard for the training and experience gained while working in the office.

At the end of 2008–09 the office had a permanent retention rate of 94.4% and a permanent separation rate of 5.6%. Also, the office was able to retain 75% of drafters for five or more years and 74% of legislation officers for 3 or more years.

Embracing flexibility, equity and diversity

During 2008–09 the office continued to support workplace diversity in accordance with legislation including the *Anti-Discrimination Act 1991*, *Public Service Act 2008*, *Racial Discrimination Act 1975* (Cwlth), *Sex Discrimination Act 1984* (Cwlth), and the *Disability Discrimination Act 1992* (Cwlth).

Career management

The office encouraged senior managers to undertake targeted leadership and management training, and actively supported 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 8 staff members continued to work on a part-time basis.

Human resource management systems

The office uses best-practice human resource 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.

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.

In 2008–09 the office's code of conduct was updated, following consultation with all staff, to reflect changes to gifts, benefits and hospitality, and to update out-dated references.

Copies of the office's code of conduct, in either printed or electronic form, are available on request or on the office's website <www.legislation.qld.gov.au>.

Workplace health and safety

During 2008–09 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, reviewed, among other things, the hazard assessment undertaken by the workplace health and safety officer and organised refresher courses in first aid.

Library

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

Achievements made by the office’s library during 2008–2009 included:

- the review and improvement of library procedures
- maintenance of a weekly library update service that includes contents pages and abstracts of legal journals, and reports made available on the intranet.

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.

OQPC Capability Project

During 2008–09 the OQPC Capability Project was commenced with the objective of progressively developing a competency and capability framework to support best practice leadership and human resource systems across the office. The Lominger Leadership Architect tool set has been the foundation resource for this project. Initial focus has been on recruitment and selection. To date recruitment for drafting roles (excluding senior executive roles) has been revised to reflect a strong competency focus including a major reformatting of drafting role descriptions.

Future challenges

- › Continuing to support diversity objectives by exploring opportunities for part-time work, work from home and work for retired drafters to transfer experience to new drafters
- › Comprehensively implementing the OQPC Capability Project
- › Continuing to participate in whole-of-Government initiatives to ensure the office contributes to and benefits from the initiatives.



Objective 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	<ul style="list-style-type: none"> ■ 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	Performance indicators
Strategies Performance indicators	<ul style="list-style-type: none"> ■ Apply risk assessment and continual improvement processes to the office business planning cycle 	<ul style="list-style-type: none"> ■ Risk assessment undertaken and treatment strategies developed as required ■ Improvement processes identified and implemented
	<ul style="list-style-type: none"> ■ Implement appropriate corporate governance procedures 	<ul style="list-style-type: none"> ■ Systematic review of office policies and procedures in comparison with the Department of the Premier and Cabinet policies and procedures ■ Compliance with relevant whole-of-Government audit and legislative requirements
	<ul style="list-style-type: none"> ■ Implement a reliable recordkeeping system that is compliant and accountable 	<ul style="list-style-type: none"> ■ Compliance with relevant legislation and information standards for recordkeeping ■ Responsibility for recordkeeping clearly assigned to staff ■ Significant improvements to recordkeeping systems, procedures and practices

Key performance

Applying risk assessment and continual improvement processes

Risk assessment

During 2008–09 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.

Audit

OQPC is included in the program of audits and evaluations performed by the Department of the Premier and Cabinet. For this purpose the department has established an Audit, Evaluation and Risk Management Committee of which the Parliamentary Counsel is a member. Further information on the objectives and achievements of the committee, and the services it provides to the office, can be found in the Department of the Premier and Cabinet's annual report.

Continual improvement processes

During 2008–09 the office continued a business improvement process to identify and prioritise opportunities for improvements to existing office processes and systems and the systematic review of office policies and procedures in comparison to the

Department of the Premier and Cabinet’s policies and procedures.

The office’s system of committees (set out below) is the key to its risk management and continual improvement process.

Committee	Purpose
Strategic Projects Committee	<ul style="list-style-type: none"> ▶ responsible for information technology projects that impact on the strategic direction of the office ▶ respond to issues and needs involving information technology that require a strategic response. <p>In 2008–09 the committee also formed the eDRMS Project Implementation Committee (EPIC) to oversee the implementation of the office’s electronic documents and records management system TRIM. Also, in 2008–09 a sub-committee was formed to address business continuity issues.</p>
Current Drafting Practice (CDP) Committee	<ul style="list-style-type: none"> ▶ review and develop drafting practice used in the office
Publishing Practices Committee	<ul style="list-style-type: none"> ▶ manage the strategic, operational, continual improvement and risk management of publications and publishing matters ▶ in conjunction with the CDP committee, resolve issues related to publishing ▶ manage projects allocated to the committee.
Information Management Committee	<ul style="list-style-type: none"> ▶ manage the strategic, operational, continual improvement and risk management functions of information management matters ▶ ensure the office participates in ongoing development of information management.
Information Management Committee Drafting sub-committee	<ul style="list-style-type: none"> ▶ ensure OQPC has in place a system for monitoring and controlling the use of the TRIM folder ‘Legislative Drafting’.
Workplace Health and Safety Committee	<ul style="list-style-type: none"> ▶ ensure OQPC has in place a system for advising management about WH&S matters ▶ review incidents in the workplace ▶ provide information to staff about WH&S.
Training Team	<ul style="list-style-type: none"> ▶ plan and implement training to meet staff and office needs ▶ manage training related projects referred to the team.

Implementing appropriate corporate governance procedures

Framework

OQPC’s corporate governance framework supports strategic planning and reporting processes. Through this framework the office is able to plan, implement and review its strategic direction, identify and manage risks, meet client expectations and evaluate and report on performance. As part of OQPC’s corporate governance framework the office prepared the following documents:

- OQPC Strategic Plan 2008–2012
- Business and Risk Management Plan
- Business Continuity Plan
- Service Delivery Statements
- Staff Personal Development Plans
- OQPC Annual Report 2008–09.



Fifth Australasian Drafting Conference: Chief Justice Paul de Jersey discusses the Uniform Civil Procedure Rules.

Objective 3 Organisational capability: Office systems Implementing appropriate corporate governance procedures

Shared Services

Shared Services is a whole-of-Government approach to corporate service delivery. The vision behind Shared Services is partnering in corporate services to support and connect government. Shared services are underpinned by standardising business processes, consolidating technology and pooling resources and expertise.

During 2008–09, the Shared Service Agency provided finance, procurement and human resource services to the office. The activities of the Shared Service Agency are reported in the annual report of the Department of Public Works.

Consultancies

During 2008–09 the office engaged no consultants.

Overseas travel

During 2008–09 no staff of the office travelled overseas.

Privacy plan

OQPC is committed to ensuring all personal information held by the office is managed with integrity and in accordance with the privacy scheme applying to all Queensland Government agencies. The scheme is regulated by Information Standard (IS) 42. IS42 contains 11 information privacy principles (IPPs) on which the privacy scheme is based.

The purpose of the office's privacy plan is to ensure personal information held by the office is collected and managed in accordance with the 11 IPPs. The OQPC Privacy Plan is available on the website <www.legislation.qld.gov.au>. Alternatively, the Privacy Contact Officer can provide more information about the privacy plan. The Privacy Contact Officer can be contacted on (07) 323 70120 or via email <privacy@oqpc.qld.gov.au>.

Retrenchment

During 2008–09 the office made no retrenchments.

Voluntary Early Retirement

During 2008–09 the office had no voluntary early retirement packages taken by employees.

Waste management

During 2008–09 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.

Further information on the office's management of waste, including the office's carbon emissions, is available in the Department of the Premier and Cabinet's annual report.

Whistleblowers Protection Act

During 2008–09 the office was not required to deal with any new disclosure of suspected official misconduct.

Implementing a reliable recordkeeping system

During 2008–09 the office made considerable progress with the implementation of an electronic documents and records management system enabling the office to better comply with the *Public Records Act 2002* and Information Standard 40: Recordkeeping and Information Standard 31: Retention and Disposal of Public Records. Through its Information Management Committee and Information Management Committee Drafting sub-committee, the office continued to ensure all records about the office's business were captured and managed 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.

Future challenges

- › Progress generally the automation of systems related to legislation
- › Systematic review of office policies and procedures
- › Continued improvement of office recordkeeping systems, procedures and practices.

Objective 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	<ul style="list-style-type: none"> ■ 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	Performance indicators
Strategies Performance indicators	<ul style="list-style-type: none"> ■ Continually develop the office’s strategic response to all-of-office requirements for advanced technology 	<ul style="list-style-type: none"> ■ Host the Parliamentary Counsel’s Committee IT Forum ■ Implementation of stage 1 of TRIM
	<ul style="list-style-type: none"> ■ Enhance processes that streamline the drafting function of the office 	<ul style="list-style-type: none"> ■ Significant enhancements to the drafting function
	<ul style="list-style-type: none"> ■ Enhance processes that streamline the production, supply and publication of legislation and legislative information 	<ul style="list-style-type: none"> ■ Significant enhancements to the automation of processes
	<ul style="list-style-type: none"> ■ Enhance processes that better inform staff 	<ul style="list-style-type: none"> ■ Implementation of the LegMD database for automation of annotations (stage 1)

Key performance

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

Parliamentary Counsel’s Committee IT Forum



On behalf of the Australasian Parliamentary Counsel’s Committee (PCC) the office hosted the PCC IT Forum. The forum is an opportunity for staff from all Australasian drafting offices to discuss information technology and how it impacts in relation to a legislative drafting office.

The PCC IT Forum was held in the Parliamentary Annexe, Parliament House from 21 to 23 July 2008 and attended by 68 people from the following offices:

- ▶ Commonwealth Office of the Parliamentary Counsel
- ▶ Commonwealth Office of Legislative Drafting and Publishing
- ▶ Australian Capital Territory Parliamentary Counsel’s Office
- ▶ New South Wales Parliamentary Counsel’s Office
- ▶ Northern Territory Office of the Parliamentary Counsel
- ▶ Queensland Office of the Parliamentary Counsel
- ▶ South Australia Office of Parliamentary Counsel
- ▶ Tasmania Office of Parliamentary Counsel
- ▶ Victoria Office of the Chief Parliamentary Counsel
- ▶ Western Australia Parliamentary Counsel’s Office
- ▶ New Zealand Parliamentary Counsel Office
- ▶ Singapore Attorney-General’s Chambers
- ▶ Hong Kong, Law Drafting Division, Department of Justice.



The forum was opened on Monday 21 July with a welcome to country performed by Turabul Elder Joseph Kirk and a speech by the Queensland Parliamentary Counsel, Mr Peter Drew.

Topics for discussion included:

- backcapture of historical legislation
- printing developments
- performance measurement systems and indicators
- IT developer costs
- updates from each Australasian Parliamentary Counsels' office
- disaster recovery
- legislation in XML.

TRIM eDRMS project – stage 1

The office's implementation of stage 1 of TRIM, an electronic documents and record management system (eDRMS), started in January 2008. The office went live with stage 1 of its TRIM implementation on 14 October 2008.

Key outcomes for this stage included:

- all drafting instructions and non-FrameMaker book file material to be saved into a set of folders automatically created within TRIM at the beginning of the drafting process
- all administrative documents and records to be saved into TRIM
- PDFs of legislative publications saved into TRIM
- a higher level of compliance with relevant information standards, e.g. IS40: Recordkeeping and IS31: Retention and Disposal of Public Records.



Enhancing processes that streamline the drafting function

TRIM eDRMS project – stage 2

To build on the efficiencies gained with implementation of stage 1 of TRIM the office has finalised a project plan to further integrate the eDRMS solution into office drafting processes.

This stage of work will include:

- automatic saving of all legislative production system files into TRIM
- the development and implementation of an additional user interface to manage file/folder movements during the creation of documents in the legislation production system
- automated essential metadata updates (including production, workflow and status information) into TRIM.

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

LegMD Database Project

A major initiative within the office in 2008–09 has been the LegMD database project. This project will deliver a relational database solution to store key legislative metadata and serve as the source database for the production of the Queensland Legislation Annotations and the Weekly Update to Queensland Legislation as well as a number of other hardcopy and electronic publications and reports.

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. The site works as a portal to both the Department of the Premier and Cabinet intranet, and Govnet, allowing deep linking to specific areas of information.

Future challenges

- › Implementation of TRIM eDRMS (stage 2)
- › Completion of the LegMD Database Project.

Financial statements 30 June 2009

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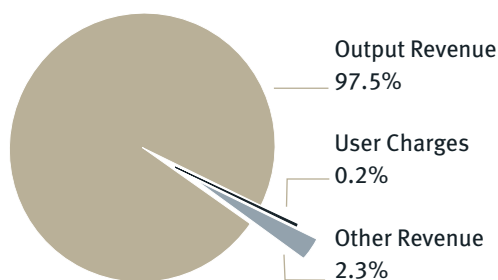
Financial summary

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 ‘Legislative Drafting, Advisory and Information Services’. This output is reported in the department’s Income Statement by Outputs/Major Activities and Statement of Assets and Liabilities by Outputs/Major Activities.

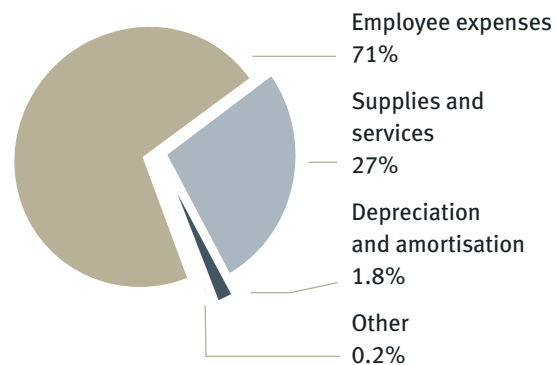
The Income Statement for the office has been prepared on an accrual basis in accordance with the prescribed requirements. As distinct from the traditional cash basis of reporting, the accrual method brings revenues and expenses to account when they are incurred without regard to the date of receipt or payment of cash. Revenues and expenses have been recognised as part of the Income Statement of the office and include allocations for corporate support and executive management services.

The office’s main revenue source is Output Revenue (appropriation from the Consolidated Fund) from Queensland Treasury. The following graphs show income and expense distribution for the year ended 30 June 2009.

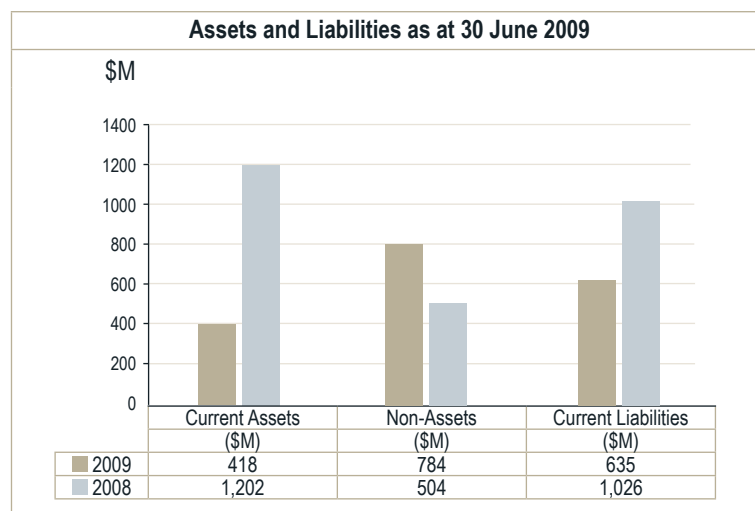
Income for the year ended 30 June 2009



Expenses for the year ended 30 June 2009



In compliance with AASB1052 *Disaggregated Disclosures* the Statement of Assets and Liabilities for the office is disclosed for the first time including comparatives. It discloses the assets deployed and liabilities incurred by the office. The graph below shows assets and liabilities as at 30 June 2009 and their comparatives.



Further information is provided in the Department of the Premier and Cabinet’s 2008–09 Annual Report

Income Statement
For the year ended 30 June 2009

	Notes	2009	2008
		\$'000	\$'000
Income from ordinary activities			
<i>Revenue</i>			
Output revenue	2	9,310	7,998
User charges	3	22	33
Other	4	217	146
Gain on Sale of Property, Plant and Equipment		-	(3)
Total income from ordinary activities		9,549	8,174
Expenses from ordinary activities			
Employee expenses	5	6,779	5,464
Supplies and services	6	2,579	2,621
Depreciation and amortisation	7	173	70
Other expenses	8	14	19
Impairment loss	8	4	-
Total expenses from ordinary activities		9,549	8,174
Operating surplus/(deficit)		-	-

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

Statement of Assets and Liabilities For the year ended 30 June 2009

	Notes	2009	2008
		\$'000	\$'000
Current Assets			
Cash and cash equivalents	9	130	812
Receivables	10	263	370
Other	11	25	20
Total Current Assets		418	1,202
Non Current Assets			
Property, plant and equipment	12	363	290
Intangible assets	13	421	214
Total Non Current Assets		784	504
Total Assets		1,202	1,706
Current Liabilities			
Payables	14	305	883
Accrued employee benefits	15	309	129
Unearned revenue	16	21	14
Total Current Liabilities		635	1,026
Total Liabilities		635	1,026

The above Statement of Assets and Liabilities should be read in conjunction with the accompanying notes.

Notes to and forming part of the financial statements 2008–09

1. Statement of Significant Accounting Policies

The financial statements have been prepared in accordance with Australian Accounting Standards. In addition, the financial statements comply with the Treasurer's Minimum Reporting Requirements for the year ending 30 June 2009, and other authoritative pronouncements.

The financial statements have been prepared to reflect the 'Income Statement by Outputs/Major Activities' and 'Statement of Assets and Liabilities by Outputs/Major Activities' for the Office of the Queensland Parliamentary Counsel (the office) as contained in the Department of the Premier and Cabinet's (the department) Financial Statements.

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 revenues and expenses recognised in the financial statements include allocations for corporate support and executive management services on the basis of employee full-time equivalent numbers.

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

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

Wages and salaries due but unpaid at reporting date are recognised in the Statement of Assets and Liabilities at the nominal salary rates.

The Queensland Government's Annual Leave Central Scheme (ALCS) became operational on 30 June 2008 for departments, commercialised business units and shared service providers. The office participates in the scheme. Under this scheme, a levy is made on the department to cover the cost of employees' annual leave (including leave loading and on-costs). The levies are expensed in the period in which they are payable. Amounts paid to employees for annual leave are claimed from the scheme quarterly in arrears.

Under the Queensland Government's long service leave scheme, a levy is made on the office through the department to cover the cost of employees' long service leave. Levies are expensed in the period in which they are payable. Amounts paid to employees for long service leave are claimed from the scheme quarterly in arrears.

No provision for long service leave is recognised in the financial statements, the liability being held on a whole-of-Government basis and reported in the financial report prepared pursuant to AASB1049 *Whole of Government and General Government Sector Financial Reporting*.

Employer superannuation contributions are paid to QSuper, the superannuation plan for Queensland Government employees, at rates determined by the Treasurer on advice of the State Actuary. Contributions are expensed in the period in which they are paid or payable. The office's obligation is limited to its contribution to QSuper. Therefore, no liability is recognised for accruing superannuation benefits, the liability being held on a whole-of-Government basis and reported in those financial statements pursuant to AASB1049 *Whole of Government and General Government Sector Financial Reporting*.

The senior executive remuneration disclosures are shown in the department's financial statements.

Cash assets include all cash and cheques receipted but not banked at 30 June 2009.

Receivables are recognised at the nominal amount due at the time of sale or service delivery, settlement being generally required within 14 days from the invoice date.

All non-current physical and intangible assets are recorded at cost on initial acquisition. Cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the assets ready for use. However, any training costs are expensed as incurred.

Assets under construction (work-in-progress) are not depreciated or amortised until they reach service delivery capacity. Internally generated intangible assets with cost or other value of \$100,000 or greater are recognised in the financial statements, items with a lesser value being expensed. Each intangible asset is amortised over its estimated useful life to the office, less any anticipated residual value. The residual value is zero for all the office's intangible assets.

Where intangible assets have an active market, they are measured at fair value, otherwise they are measured at cost. It has been determined that there is no active market for any of the office's intangible assets. As such, the assets are recognised and carried at cost less accumulated amortisation.

Plant and equipment are measured at cost and are depreciated on a straight-line basis so as to allocate the net cost of each asset less its estimated residual value progressively over its estimated useful life to the office. The carrying amounts for plant and equipment at cost should not materially differ from their fair value.

Trade creditors are recognised upon receipt of the goods or services ordered and measured at the agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled on 30-day terms.

Amounts included in the financial statements are in Australian dollars and have been rounded to the nearest \$1,000 or where the amount is \$500 or less, to zero, unless disclosure of the full amount is specifically required.

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

Notes to and forming part of the financial statements 2008–09

The Australian Accounting Standards Board (AASB) has issued, revised and amended Standards and Interpretations that have mandatory application dates for the first time in 2008–09 financial year. The significance of those new and amended Australian Accounting Standards that were applicable for the first time in the 2008–09 financial year and have had a significant impact on the office's financial statements is as follows:

- A review has been undertaken of revised accounting standard AASB1004 *Contributions*, and it is considered the financial statements adequately reflect the matters required to be disclosed, given the office's present operating circumstances.
- New accounting standard AASB1052 *Disaggregated Disclosures* now requires departments' disclosure

of the amounts of controlled assets and liabilities attributable to each department output/major activities. For the office, this is set out in the new Statement of Assets and Liabilities.

At the date of authorisation of the financial report, the AASB has issued new, revised and amended Standards and Interpretations that have mandatory application dates for future periods and which the office has decided not to early adopt. All other Australian Accounting Standards and Interpretations with future commencement dates are either not applicable to or have no material impact on the office.

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

	2009	2008
	\$'000	\$'000
2. Reconciliation to payments from Consolidated Fund		
Output revenue		
Budgeted output appropriation	9,310	7,998
Output revenue recognised in the Income Statement	9,310	7,998
3. User charges		
Publications	22	26
User Charges – Other	-	7
	22	33
4. Other revenue		
Resources received below fair value	-	138
Other	217	8
	217	146
5. Employee expenses/Number of Employees		
Salaries, wages and allowances	5,587	4,484
Salary related taxes	391	309
Superannuation	648	537
Long service leave levy	90	80
Other	63	54
	6,779	5,464
Annual and sick leave expenses have been included in wages and salaries.		
	2009	2008
Number of Employees	48.6	48.6
The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.		

	2009	2008
	\$'000	\$'000
6. Supplies and services		
Administration costs	85	67
Advertising and promotions	5	11
Building services	26	48
Maintenance	17	16
Motor vehicle costs	181	172
Office supplies, books, legislation and statutes	98	103
Professional services	152	309
Telecommunications	29	34
Travel	19	18
Other	1,967	1,843
	2,579	2,621
7. Depreciation and amortisation expenses		
Depreciation and amortisation expenses for the financial year were charged in respect of:		
Property, plant and equipment	141	65
Intangibles	32	5
	173	70
8. Other expenses		
Losses from disposal of property, plant and equipment	-	3
Impairment loss	4	-
Other	14	19
	18	22
9. Cash and Cash Equivalents		
Cash at bank and on hand	130	812
	130	812
10. Receivables		
Trade debtors	49	321
Less: Provision for impairment	(3)	-
GST receivable	52	45
Long service leave reimbursements	69	4
Annual leave reimbursements	96	-
	263	370
11. Other		
Security deposits	6	-
Prepayments	19	20
	25	20

Notes to and forming part of the financial statements 2008–09

	2009	2008
	\$'000	\$'000
12. Property, Plant and Equipment		
Plant and equipment:		
At cost	910	1,086
Less: Accumulated depreciation	(547)	(796)
	363	290

13. Intangible Assets		
Software purchased:		
At cost	-	28
Less: Accumulated amortisation	-	(26)
Software internally generated:		
At cost	312	15
Less: Accumulated amortisation	(41)	(7)
Work in progress	150	204
	421	214

14. Payables		
Trade Creditors	305	869
Other	-	14
	305	883

15. Accrued employee benefits		
Long service leave levy payable	20	22
Annual leave levy payable	138	-
Wages outstanding	151	107
	309	129

16. Unearned Revenue		
Unearned grants revenue	21	14
	21	14



Feedback survey 2008–2009

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.

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

From:

Date:

Please circle or comment as appropriate

Your overall impression	Poor	1	2	3	4	5	Excellent
Readability	Poor	1	2	3	4	5	Excellent
Ease of finding information	Poor	1	2	3	4	5	Excellent
Value of information	Poor	1	2	3	4	5	Excellent
Level of detail provided	Poor	1	2	3	4	5	Excellent

Would you like to see anything else included in the report?

Other comments:

Where are you from?

- Queensland Government
 local or Commonwealth government
 academia
 legal organisation
 general community
 other

Thank you for taking the time to complete the survey.

