

Office of the Queensland Parliamentary Counsel





# Acknowledgment of country

The Office of the Queensland Parliamentary Counsel acknowledges Aboriginal and Torres Strait Islander peoples as the First Australians and recognises their culture, history, diversity and their deep connection to the land, waters and seas of Queensland and the Torres Strait.

We acknowledge the traditional custodians of the lands on which we operate and wish to pay our respects to their Elders past, present and emerging.

### Communication objective

This report provides information about the operations of the Office of the Queensland Parliamentary Counsel (OQPC) for 2021–22. It is prepared under section 13 of the *Legislative Standards Act 1992*.

It is not an annual report under the *Financial Accountability Act 2009* because, under that Act, OQPC is part of the Department of Premier and Cabinet (DPC) and so OQPC's annual reporting requirements under that Act are met through DPC's Annual Report for 2021–22. However, this report is prepared having regard to requirements under the *Financial Accountability Act 2009* so far as applicable. Accordingly, this report records the significant achievements against the strategies and services detailed in OQPC's Strategic Plan and Service Delivery Statement for the reporting period.

This report has been prepared for the Premier to table in Parliament.

### Interpreter service

The Queensland Government is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding this report, you can access the Translating and Interpreting Services by phoning 13 14 50 or via < www.qld.gov.au/languages >.

Readers are invited to comment on this report at < www.qld.gov.au/annualreportfeedback >.

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7 September 2022

The Honourable Annastacia Palaszczuk MP Premier of Queensland and Minister for the Olympics 1 William Street Brisbane City QLD 4000

**Dear Premier** 

I am pleased to present for tabling in the Legislative Assembly the Annual Report 2021–22 for the Office of the Queensland Parliamentary Counsel (OQPC), as required by section 13 of the *Legislative Standards Act 1992*.

This report is not an Annual Report under the *Financial Accountability Act 2009* because, under that Act, OQPC is part of the Department of the Premier and Cabinet (DPC) and so OQPC's annual reporting requirements under that Act are met through DPC's Annual Report for 2021–22. Accordingly, detailed information about OQPC's financial performance and strategic alignment with the Government's objectives for the community can be found in the DPC Annual Report.

I certify that this Annual Report complies with the requirements of section 13(2) of the *Legislative Standards Act 1992*. While the *Financial Accountability Act 2009* does not apply to this report, it has been prepared having regard to that Act, the *Financial and Performance Management Standard 2019* and the Annual Report requirements under that Standard so far as applicable.

Yours sincerely

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Dr Katy Le Roy Acting Queensland Parliamentary Counsel

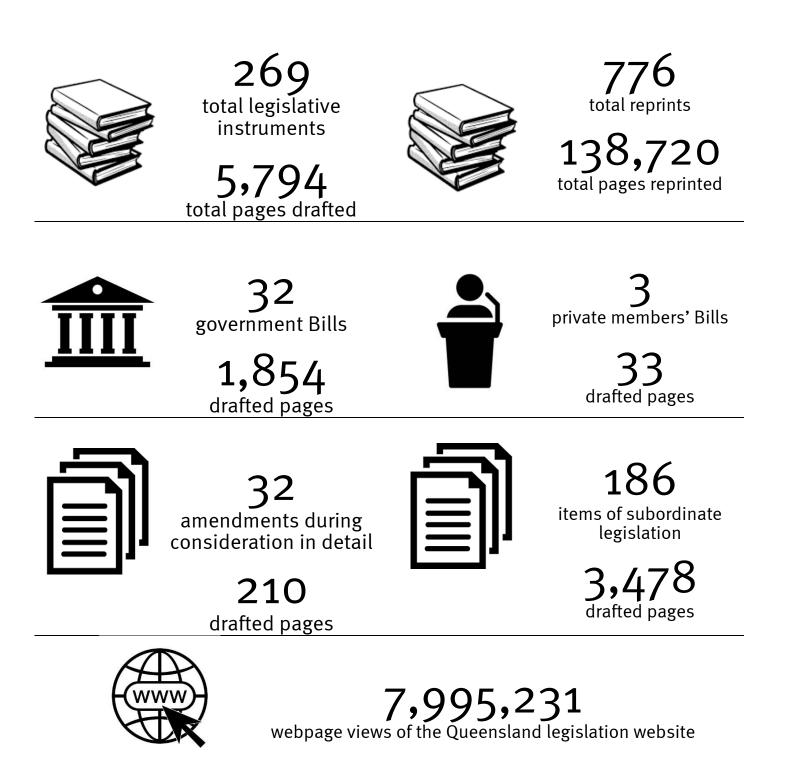
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# 2021–22 Highlights



# Our year in review

### Message from the Acting Parliamentary Counsel

The Office of the Queensland Parliamentary Counsel (OQPC) is a statutory office established on 1 June 1992 under the *Legislative Standards Act 1992*. The core functions of the office are:

- to draft all Queensland legislation;
- to make Queensland legislation accessible, including in electronic form; and
- to ensure the Queensland statute book is of the highest standard.

The 2021-2022 financial year was, like the preceding 2 years, marked by the effects of the COVID-19 pandemic, including periods of lockdown and other restrictions. In addition, this year saw severe flooding in January and February that caused widespread devastation. Our Business Continuity Plan was activated on several occasions throughout the year. OQPC was well-placed to fulfil our statutory functions in those trying circumstances. With our remote working capability, we have been able to maintain seamless service delivery throughout lockdowns and CBD closure. Each member of OQPC's staff has contributed to maintaining the highly effective and efficient delivery of all our services despite the pandemic, floods and other ongoing challenges.

As in the preceding two years, the office continued to deliver COVID-19-related legislation, though the volume of that legislation decreased. The public health emergency remained in place at the end of the year, but many of the legislative measures that were put in place to deal with the effects of the pandemic in 2020 and 2021 expired on the COVID-19 legislation expiry day, 30 April 2022, including extraordinary regulations made under the *COVID-19 Emergency Response Act 2020*. Some COVID-19-related modifications of legislation remain temporarily in effect. Other measures were made permanent, including measures to provide for signing and witnessing certain documents by audiovisual link, in the *Justice Legislation (COVID-19 Emergency Response-Permanency) Amendment Bill 2021*.

As the volume of COVID-19-related legislation decreased, most of our drafting, editing and publishing effort focused on delivering the government's ordinary legislative business. This included some significant revenue measures in the *Revenue* Legislation Amendment Bill 2022; and the Brisbane Olympic and Paralympic Games Arrangements Bill 2021, which established as a corporation the Brisbane Organising Committee for the 2032 Olympic and Paralympic Games and a board of directors for the corporation. The government's legislative program also included some significant subordinate legislation, including rewrites of transport regulations relating to driver licensing, vehicle registration, and vehicle standards and safety. And a lot of effort was devoted to regulations to convert fees from dollar amounts to fee units. This change will mean that in future, a legislative change to the value of a fee unit will have the effect of changing fees expressed as fee units across the statute book without the need to amend each regulation that contains fees.

In 2021–22, OQPC continued to ensure accuracy and precision in publishing and access to legislation. More than 650 titles in the Queensland statute book have undergone a line-by-line audit to ensure cross-reference hyperlinks link correctly, to provide the best possible user experience of the Queensland legislation website.

On 30 November 2021, OQPC completed a major project with all Queensland Acts as passed back to 1901 published on the legislation website.

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This valuable archive is fully searchable and is the most comprehensive online source of historical Queensland legislation. OQPC also continued to pursue innovation by publishing 'future' legislation in the form of indicative reprints that show potential future versions of the law as Bills are introduced to Parliament.

In September 2021, OQPC launched a programmatical website for accessing and searching the Queensland statute book. This website allows registered users and subscribers to automate access and retrieval of Queensland legislation. The major benefit of the project is consistency with the Queensland Government's Open Data Initiative through the provision of the authorised Queensland legislation statute book, which can now be programmatically searched and queried, with results supplied in machine readable XML format and human readable PDF and XML format. This work was recognised in December 2021 with a DPC Achievement Award in the Innovation and Agility category.

A new Executive Director of Legislation and Business Services was appointed in July and commenced in August 2021. The new ED, Nicola Busch, is a very welcome addition to our Executive Management Group and has already made a significant contribution to further developing OQPC's positive workplace culture.

In 2021, OQPC renewed its commitment to a healthy and inclusive workplace by establishing a Wellbeing Group. This group is tasked with overseeing the wellbeing of the office as a whole. It publishes comprehensive wellness resources on a weekly basis, assists staff with responding to current events, and provides a channel for staff to discuss and report on wellbeing issues.

In addition to the Wellbeing Group, OQPC has maintained flexible work arrangements for all staff and improved regular communication through all-staff forums, regular team gettogethers and a popular weekly newsletter. Another important aspect of our positive workplace culture at OQPC is our employee funded social calendar organised by the OQPC Fun Squad. Events have included the OQPC Games, Bake-off competitions to raise money for charity, a weekend Family Fun Day and the annual Christmas Party. OQPC's focus on diversity and inclusion in the 2021-2022 period has seen the majority of our staff participate in a number of different cultural capability training programs.

OQPC celebrated our 30-year anniversary in June 2022. The anniversary celebration was a great opportunity to reflect on the establishment of the office and the excellent work that OQPC staff have done in the last 30 years to fulfil our significant statutory functions and deliver legislation of the highest quality. John Leahy SC, who was the first Parliamentary Counsel appointed under the Legislative Standards Act 1992 when the office was established, accepted an invitation to address the celebration as a special guest. It was great to hear from John Leahy about the origins of the now familiar fundamental legislative principles, and the work the office did in its early days.

To fulfil the core statutory functions of the office, OQPC needs a professional and highly skilled workforce. Our staff is made up of legally qualified legislative drafters, expert editors and publishers, information and technology experts and corporate services professionals. Throughout the year OQPC's learning and development group coordinated a varied and relevant program of continuing professional development training for all staff, and our staff took up opportunities for personal and professional development with enthusiasm. OQPC staff continued to demonstrate not just impressive professional skill, but consistent diligence and dedication to serving the people of Queensland.

OQPC collaborates with the Department of Premier and Cabinet and with our instructing departments to deliver on the government's objectives for the community. Further detailed information in relation to OQPC's financial performance and strategic alignment with DPC can be found in DPC's annual report.

The office looks forward to continuing to collaborate with our instructors and partners to produce excellent legislation for Queensland in the year ahead.

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Dr Katy Le Roy Acting Parliamentary Counsel

### About our office

### Our purpose

The Office of the Queensland Parliamentary Counsel (OQPC) is an independent statutory office that supports Queensland's democracy and the rule of law by delivering Queensland legislation that is effective, accessible and consistent with fundamental legislative principles (FLPs).

### Our vision

Excellent legislation for Queensland.

### Our role

OQPC was established as a statutory office on 1 June 1992 by the *Legislative Standards Act 1992* to ensure that:

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

## Our guiding

### principles

#### People

We foster a diverse, inclusive workplace and prioritise the well-being of our employees. We invest in our people's professional development. We maintain strong, collaborative relationships with our partners.

#### Quality

We are committed to accuracy and precision in producing legislation, and to maintaining the highest standards in drafting and access to legislation.

#### Responsibility

We perform our statutory functions with integrity and dedication. We operate transparently and use resources efficiently to serve the public.

#### Freedom

We embrace technological advances and innovation to inform future practice. We empower our employees by giving them the ability to take risks and lead change. We operate independently and impartially.

## Government

### objectives

OQPC supports the Government's objectives for the community by:

- delivering excellence in legislative drafting and access
- providing stewardship of innovation and change
- strengthening strategic engagement with partners.

As published in the Service Delivery Statements (SDS), OQPC supports democracy and the strategic direction of the Queensland Government and delivers on the Government's objectives for the community:

- Safeguarding our health
- Supporting jobs
- Backing small business
- Making it for Queensland
- Building Queensland
- Growing our regions
- Investing in skills
- Backing our frontline services
- Protecting the environment.

### Statutory obligations

The office has a broad range of functions under the *Legislative Standards Act 1992*, the *Statutory Instruments Act 1992* and the *Reprints Act 1992* 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
  - amendment of Bills for private members
  - 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 (FLPs)
- 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 electronic access to Queensland legislation and information about legislation.

### Organisational structure

The Parliamentary Counsel is the chief executive of OQPC and, subject to the Minister (the Premier and Minister for Olympics), controls the office.

OQPC's structure consists of the Parliamentary Counsel, Legislation Drafting Services and Legislation and Business Services (LaBS). The Executive Management Group (EMG) manages the office.

EMG consists of the Parliamentary Counsel, the Deputy Parliamentary Counsel (Legislative Program) and the Executive Director, LaBS. This structure optimises high-quality service delivery and exemplary work practices.

Drafting Services has four teams that are overseen by Deputy Parliamentary Counsel. LaBS consists of the Legislation Editing and Publishing Services (LEaPS), Information and Technology Services (ITS) and Corporate Services (CS) business areas.

OQPC is located at 111 George Street, Brisbane and staff work from this location or remotely under flexible work arrangements.

The Parliamentary Counsel represents Queensland on the Australasian Parliamentary Counsel's Committee and represents the office within DPC as part of its Executive Leadership Team.

### Legislation Drafting Services

The Deputy Parliamentary Counsel lead the drafting teams to provide an effective and efficient legislative drafting service to produce Queensland legislation of the highest standard.

### Legislation Editing and Publishing Services

The Legislation Editing and Publishing Services team edits draft legislation, prepares reprints and publishes legislation, making Queensland legislation and information relating to legislation readily accessible.

## Information and Technology

#### Services

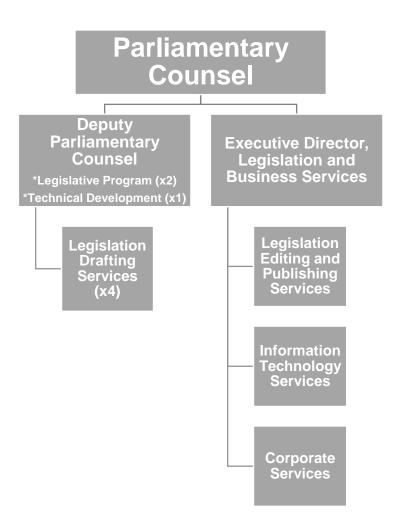
The Information and Technology Services team is responsible for the planning and delivery of information and communications technology services to OQPC. The team provides specialised technical and operational services that directly support and enable OQPC to deliver its core functions to manage, draft, publish and provide access to Queensland legislation via the Queensland Legislation and Application Programing Interface (API) websites. The team delivers high quality ICT support services for OQPC's information and business systems and its staff, including project and information management, contract and vendor management, compliance, cyber security, audit and risk mitigation functions.

Additionally, the Information and Technology Services team offers strategic oversight, guidance, and support to existing and emerging systems development, review, implementation, and application life-cycle management activities.

### Corporate Services

The Corporate Services team supports OQPC to deliver on broader strategic goals. The team has responsibility to ensure human resource management, corporate governance and finance functions are delivered in accordance with legislation, industry standards and using best practice methodology.

The organisational chart reflects the office structure as at 30 June 2022.



## A review of OQPC's progress against our statutory obligations

## Delivering the government's legislative program

During the reporting period, OQPC drafted all of the Queensland Government's Bills and subordinate legislation other than exempt subordinate legislation.

OQPC drafts legislation throughout each year to meet the government's legislative program. However, drafting work for Bills is particularly concentrated in the periods immediately before and during parliamentary sittings. Drafting work for subordinate legislation is more consistent but tends to be concentrated in the periods immediately before 1 January, 1 July and 1 September each year.

In addition to Bills and subordinate legislation, OQPC also drafted and supplied government amendments of Bills to be moved in the Legislative Assembly.

## Delivering legislation for other drafting clients

Three Bills drafted by OQPC during the reporting period were prepared for nongovernment members of the Legislative Assembly. OQPC also supplied 18 nongovernment amendments for Bills that were moved in the Legislative Assembly.

OQPC makes every effort to meet requests for drafting assistance from non-government members within the timeframes set by the members. Requests for drafting assistance for amendments from non-government members are usually received shortly before debate on the relevant Bill is resumed.

## Certifying subordinate legislation

OQPC drafts all Queensland subordinate legislation other than exempt subordinate legislation. The office certifies subordinate legislation it has drafted if satisfied it is lawful and has sufficient regard to FLPs. During the reporting period OQPC certified 186 instruments of subordinate legislation.

If OQPC refuses to certify proposed subordinate legislation, the instrument must, under the *Queensland Cabinet Handbook*, be submitted to Cabinet before it is made. During the reporting period, no proposed subordinate legislation was refused certification.

## Managing staged expiry of subordinate legislation

A significant regulatory reform device in the maintenance of the Queensland statute book is the imposition of automatic expiry dates on subordinate legislation. The current system was established under the *Statutory Instruments Act 1992*, part 7 and provides for a 10-year cycle for review and remaking of subordinate legislation. Exemptions from expiry are strictly limited.

In August 2021, 55 instruments were exempted from expiry until specified dates. Of the instruments shown as exempt from expiry in the *Statutory Instruments Regulation 2012*, schedule 2 as at 30 June 2022:

- 7 instruments were exempt on the basis they were uniform subordinate legislation
- 48 instruments were exempt on the basis that the Acts under which the instruments were made were subject to review (7 of the 48 are first exemptions).

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## Providing drafting support

#### services

OQPC continued to provide drafting support services to Parliament and the Governor in Council during the reporting period.

In performing functions in the Bill-to-Act process, the office produces all versions of Bills required for their passage through the Legislative Assembly and for assent. Under instruction from the Clerk of the Parliament, OQPC incorporates into Bills amendments made in consideration in detail and consequential amendments that arise.

OQPC coordinates notification, publishing and tabling processes for subordinate legislation, including extraordinary notification of subordinate legislation for government departments.

# Advice on alternative ways of achieving policy

#### objectives

Under the *Legislative Standards Act 1992*, section 7, OQPC has a specific function to provide advice on alternative ways of achieving policy objectives when drafting legislation. The development of legislation involves collaboration between the office and those involved in policy formulation. The responsibility for making decisions on policy issues lies with Ministers, departments and other drafting clients.

OQPC contributes to the policy development process by advising on:

- 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 practice in relation to particular kinds of provisions
- how the presentation of a law can make it user-friendly.

### Advice on the application of Fundamental Legislative Principles

OQPC is required by the *Legislative Standards Act 1992* to advise Ministers, government entities and members of the Legislative Assembly on the application of FLPs.

The principles are defined in the *Legislative Standards Act 1992* as 'the principles relating to legislation that underlie a parliamentary democracy based on the rule of law' and include the requirement that legislation has sufficient regard to the rights and liberties of individuals and the institution of Parliament.

The office consistently seeks to achieve policy objectives without infringing FLPs, noting that FLPs:

- are not absolutes and can be displaced
- may conflict with each other
- derive their force from the values they enshrine
- are not fixed.

Advice provided by the office to key stakeholders may include:

- the operation of FLPs
- the existence of a potential breach of FLPs
- the likely attitude of a portfolio committee to any particular breach of FLPs
- ways to avoid or minimise a potential breach of FLPs.

OQPC provides advice on FLPs in two main ways:

 First, OQPC provides commentary 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 for future drafts.  Second, OQPC liaises with DPC and the instructing department in relation to significant FLP issues in Bills and significant subordinate legislation. If appropriate, OQPC provides a formal briefing note to DPC and the instructing department. This process facilitates a whole-ofgovernment decision on the operation of the FLPs concerned.

During the reporting period, OQPC continued to work with departments to develop provisions that achieve both policy objectives and compliance with FLPs. This approach minimised the number of matters that needed to be considered by the Legislative Assembly's portfolio committees in reviewing legislation.

### The drafting process

During the reporting period, OQPC continuously strove for high client satisfaction in relation to the processes adopted to provide drafting services by:

- promptly acknowledging instructions and confirming drafter allocation
- providing draft legislation in a timely way
- promptly responding to requests and queries, and promoting drafter availability to discuss complex legislative matters
- updating clients on the progress of legislative instruments being drafted
- providing incidental advice in relation to:
  - the drafting process
  - other relevant legislation or agencies
  - general drafting matters.

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

### The overall drafting product

During the reporting period, OQPC continued to review its practices and precedents, published comprehensive information about legislative matters and ensured the Queensland statute book is of the highest standard.

Key activities included:

- maintaining internal quality assurance processes
- continuing our commitment to plain English drafting.

In addition to drafting legislation for the government and private members in Queensland, OQPC drafted and reviewed proposed national scheme legislation. The office is committed to keeping informed on national and international developments in drafting and publishing.

# Strategic risks and challenges

OQPC works within an increasingly complex operating environment. We have identified a number of risks that could affect our ability to deliver on our vision. These include:

- challenges in planning the annual legislative program and competing expectations among clients and other stakeholders
- challenges in filling key OQPC roles and the potential for misaligned organisational capacity and capability
- cybersecurity threats to the Queensland legislation website and OQPC's network infrastructure and data repositories
- significant disruption of business operations as a result of major external events.

To mitigate risk, OQPC identified the following opportunities to strengthen organisational strategies:

- build stronger relationships with key partners towards a process for the clear ordering of whole-ofgovernment legislative priorities
- engage with clients about individual departments' legislative priorities
- improve staff retention and professional development by implementing strategies specified in our Strategic Plan 2022–2026
- actively participate in Information Standard 18 Information Security compliance activities and reporting
- keep business continuity planning processes under review
- learn from past business continuity experiences and be open to innovation in our business practices.

### Key stakeholders and

#### partners

OQPC's key stakeholders and partners include instructing departments, agencies and private members, the Queensland Parliamentary Service, the government printer, DPC, the judiciary, the legal profession, law students, the Supreme Court Library, other law librarians and members of the public.

OQPC works collaboratively with all stakeholders to uphold the rule of law and ensure that Queensland legislation is of the highest standard and easily accessible.

### Drafting and advisory clients

Clients of drafting services are those providing instructions on proposed legislation and include the Premier, Cabinet, Ministers, government departments, government entities, parliamentary committees and members of the Legislative Assembly.

Executive government is a major client because it sponsors most Bills in the Parliament. However, the *Legislative Standards Act 1992*, section 10 states that any member of the Legislative Assembly may request drafting services. The Parliamentary Counsel must comply with the request unless it is considered that complying with the request would significantly and adversely affect the government's legislative program.

To strengthen stakeholder engagement with drafting clients, OQPC facilitates instructor training sessions to provide:

- information relevant for preparing high quality, clear and effective drafting instructions
- a greater understanding of the drafting process, including:
  - learning about the role and responsibilities of the instructor and the drafter in the drafting process
  - the interaction between an instructor and drafter in the drafting process
- a greater understanding of OQPC's functions, the way it operates and what legislative drafting entails
- a range of practical scenarios.

### Publishing clients

Clients of OQPC's publishing services are stakeholders who access legislation published on the Queensland legislation website. These clients include the courts, the legal profession and members of the public.

OQPC provides specific publishing services to Parliament, government departments and government entities by:

- producing the versions of Bills required for their passage through the Legislative Assembly to assent
- producing indicative reprints for particular Acts amended by Bills introduced in the Legislative Assembly
- providing certified copies of subordinate legislation
- coordinating notification, publication and tabling processes for subordinate legislation.

To strengthen engagement with publishing clients, OQPC has a Stakeholder Reference Group to exchange information and discuss feedback and suggestions from frequent users of Queensland legislation on issues relating to:

- Queensland legislation website accessibility and usability
- future developments and functionality for the Queensland legislation website
- legislative publishing matters and allied work processes within OQPC.

Membership of the Stakeholder Reference Group includes key management staff within OQPC and representatives from the Queensland Parliamentary Service, policy areas of significant government departments, law librarians, legal academics, the Queensland Law Society and the government printer.

## Assisting the Queensland Youth Parliament

The YMCA Queensland Youth Parliament is a Queensland Curriculum and Assessment Authority accredited education program for young Queenslanders in years 11 and 12 to experience first-hand the workings of the parliamentary process. With the consent of the Speaker of the Legislative Assembly, the Youth Parliament conducts its sittings in Parliament House.

The Youth Parliament provides young Queenslanders with the opportunity to:

- express their views, through a State forum, on matters important to them
- provide the Queensland Government with 'Youth Acts' that express youth concerns and expectations that could be acted on by the government
- develop speaking and listening skills critical to being a leader
- develop an interest in the parliamentary system through their involvement in a simulated parliamentary process.

During the reporting period the office provided support for the Youth Parliament by:

- providing general drafting and editing advice about legislative drafting
- 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
- formatting and supplying amendments to Youth Bills for consideration when the Youth Parliament is sitting
- helping with the Bill-to-Act process for Youth Bills passed by the Youth Parliament.

## Significant policy affecting service delivery

There are no identified significant initiatives or policy changes that have affected or are likely to affect service delivery.

### Financial summary

Under the *Financial Accountability Act 2009*, the Director-General of DPC is the accountable officer for OQPC. For planning, performance management and reporting purposes under that Act, OQPC is represented as a service area of DPC known as 'Legislative Drafting and e-Publishing'.

This is reported in the DPC Annual Report 2021–22 *Statement of Comprehensive Income by Major Departmental Services* and *Statement of Assets and Liabilities by Major Departmental Services.* 

In compliance with AASB 1052 Disaggregated Disclosures, the statement of assets and liabilities for OQPC is included in the DPC Annual Report 2021–22. Section 77(2)(b) of the *Financial Accountability Act 2009* requires the chief finance officer of DPC to verify the department's financial controls are operating efficiently, effectively and economically.

In support of that function, the Parliamentary Counsel conducts quarterly reviews and provides assurance that:

- the financial records of OQPC have been properly maintained in accordance with prescribed requirements
- the internal compliance and control systems of OQPC relating to financial management have been operating efficiently, effectively and economically.

Since balance date, there have been no material changes that may affect the risk management and internal compliance and control systems of OQPC.

For the financial year ended 30 June 2022, a statement assessing OQPC's financial internal control has been provided by the Acting Parliamentary Counsel to the chief finance officer of DPC. The statement was prepared in accordance with section 54 of the *Financial and Performance Management Standard 2019*.

Further information is provided in DPC's Annual Report 2021–22.

### Human Rights

The *Human Rights Act 2019* commenced on 1 January 2020.

OQPC continues to promote employee awareness of their responsibilities through participation in mandatory training sessions.

No human rights complaints were received by OQPC within the reporting period.

## A review of OQPC's progress against strategic objectives

### Strategic objectives

This section reports on OQPC's strategic objectives under the strategic plan 2021–2025.

The strategic objectives align to OQPC's service area objective presented in the Service Delivery Statement (SDS) to draft and provide access to Queensland legislation of the highest standard.

Those services support government and democracy in Queensland by drafting legislation, ensuring the statute book is of the highest standard, and arranging public access to legislation and legislative information.

OQPC makes a significant contribution by advising on the application of FLPs to ensure legislation has sufficient regard to the rights and liberties of individuals and the institution of Parliament.

### Strategic objective 1

Excellence in legislative drafting and access

- Identify and adopt best practice in drafting Bills, amendments to Bills, and subordinate legislation, having regard to fundamental legislative principles and compatibility with human rights.
- Identify and adopt best practice in making Queensland legislation easy to find, easy to understand and easy to use.
- 3. Ensure timely access to Bills, legislation and related information and maintain open data arrangements.
- 4. Consciously embed our values in everything we do.

### Measures of success

- The SDS effectiveness measure targets for the legislative drafting and epublishing service area were:
  - 90 percent client satisfaction with legislative drafting services provided by OQPC
  - 90 percent client satisfaction with the quality of access to legislation available online.
- The annual client survey identified that the overall satisfaction with both legislative drafting services and access to legislation was 100 percent in the reporting period. Surveyed clients are Ministers, Chiefs of Staff, Directors-General and their departments' Cabinet Legislation and Liaison Officers and senior policy officers.
- The SDS efficiency measure result of \$155 per hour for the average cost per hour of legislative drafting and publishing output was slightly higher than the Target/Estimate of \$154 per hour. This service standard has been discontinued as the calculation methodology has changed and past performance is no longer comparable. The service standard will be reintroduced with a new calculation methodology.
- In addition to the SDS effectiveness and efficiency measures, the OQPC strategic plan 2021–2025 included a timeliness measure that legislative consolidations (reprints) be published within three days of commencement.
- There were 776 authorised reprints (138,720 pages) published in the reporting period and 96.13 percent were published within three days.

- The legislation program was delivered on time and produced:
  - 32 government Bills (1,854 pages)
  - 3 private member Bills (33 pages)
  - 14 government amendments for consideration in detail (107 pages)
  - 18 private member amendments for consideration in detail (103 pages)
  - 186 instruments of subordinate legislation (3,478 pages)
- Open data arrangements for the release of Queensland legislation were maintained consistently throughout the reporting period.

## Key achievements during the reporting period

Some significant legislation drafted and introduced within the reporting period included:

- Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022
- Land and Other Legislation Amendment Bill 2022
- State Penalties Enforcement (Modernisation) Amendment Bill 2022
- Personal Injuries Proceedings and Other Legislation Amendment Bill 2022
- Animal Care and Protection Amendment Bill 2022
- Casino Control and Other Legislation Amendment Bill 2022
- Revenue Legislation Amendment Bill 2022
- Industrial Relations and Other Legislation Amendment Bill 2022
- Justice Legislation (COVID-19 Emergency Response—Permanency) Amendment Bill 2021

- Police Powers and Responsibilities and Other Legislation Amendment Bill 2021
- Small Business Commissioner Bill 2021
- Brisbane Olympic and Paralympic Games Arrangements Bill 2021
- Evidence and Other Legislation Amendment Bill 2021
- Health and Other Legislation Amendment Bill 2021
- Child Protection Reform and Other Legislation Amendment Bill 2021

Some significant subordinate legislation drafted and made in the reporting period included:

- Acts Interpretation (Fee Unit) Regulation 2022 and various fee unit conversion amendment regulations
- Transport Legislation (Distracted Driver and Other Matters) Amendment Regulation 2021
- Transport Operations (Road Use Management—Driver Licensing) Regulation 2021
- Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021
- Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021
- Building Regulation 2021
- Medicines and Poisons (Medicines) Regulation 2021
- Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021
- Medicines and Poisons (Pest Management Activities) Regulation 2021

### Strategic objective 2

A skilled, flexible and resilient workforce

- Cultivate a highly skilled and highperforming workplace by providing our people with a range of opportunities for ongoing professional and personal development.
- 2. Consciously embed our values in everything we do.

### Measures of success

The success measure for strategic objective 2 under the strategic plan 2021–2025 was maintenance of high overall employee satisfaction in the Working for Queensland (WfQ) employee opinion survey.

The WfQ survey is an annual survey that measures Queensland public sector employee perceptions of their work, managers, teams and organisations.

The survey results are a catalyst to:

- drive positive workplace change across the Queensland public service
- measure progress against organisational goals and integration of public service values.

In the 2021 WfQ survey, OQPC maintained high overall employee satisfaction in all key workplace factors, particularly when compared to the broader Queensland public sector.

In comparison to the previous year's WfQ survey results, OQPC has identified opportunities to improve across key workplace factors, particularly relating to workload and health.

## Key achievements during the reporting period

OQPC supported a collaborative WfQ working group, led by employees, to prepare an action plan focusing on those areas where there is room for improvement. OQPC has a significant commitment to professional development of employees, evidenced through:

- comprehensive professional development policy and practice
- a requirement that professional drafters undertake 10 hours (or equivalent) of professional development per year
- high training compliance rates
- comprehensive learning and development blogs
- a professional library maintained and promoted by staff
- regular drafters' forums
- sharing of learnings from professional development opportunities.

Launched in February 2022 the OQPC Wellbeing Team is an employee-driven program to foster the wellbeing of our people and their families, to recognise the diversity of our people and create a psychologically safe workplace.

### Strategic objective 3

A healthy, inclusive workplace

- 1. Further develop a workplace culture that fosters the health, happiness, flexibility and fulfilment of our people.
- 2. Consciously embed our values in everything we do.

### Measures of success

- The measure of success for strategic objective 4 was maintenance of high overall employee satisfaction in the WfQ employee opinion survey.
- That measure is reported under strategic objective 2.

## Key achievements during the reporting period

- OQPC continues to support flexible work arrangements under the *Industrial Relations Act 2016*, chapter 2, part 3, division 4. Those arrangements addressed concerns expressed in previous WfQ survey results about worklife balance.
- OQPC has further developed and maintained a healthy workplace culture in which respectful workplace behaviour and collegiality are consistently demonstrated.

### Strategic objective 4

Stewardship of innovation and change.

- Identify and adopt best practice in making Queensland legislation easy to find, easy to understand, and easy to use.
- 2. Make effective use of our technical resources and explore future drafting and publishing solutions to enhance the services we provide.
- 3. Consciously embed our values in everything we do.

### Measures of success

The measures of success for strategic objective 3 under the strategic plan 2021–2025 were:

- client satisfaction with access to legislation
- consolidations of legislation published within 3 days of commencement.

Those measures are reported under strategic objective 1.

# Key achievements during the reporting period

 OQPC made effective use of our technological resources to enhance the services we provide. The Queensland Integrated Legislative Lifecycle System (QuILLS) has continued to evolve in ways that minimise manual processes, reduce the scope for human error, and optimise timely and accurate access to legislation and legislative information.

 The COVID-19 environment has made it difficult to explore future drafting and publishing solutions, but OQPC continued to monitor international developments and will explore future development opportunities when circumstances permit.

### Strategic objective 5

Strategic engagement with partners

- Build stronger functional relationships and open channels of communication with DPC, Table Office, client departments and other partners.
- 2. Continue to work with key partners towards a process for the clear ordering of priorities within the government's legislative program.
- 3. Consciously embed our values in everything we do.

### Measures of success

The measures of success for strategic objective 5 were:

- client satisfaction with drafting services
- client satisfaction with access to legislation.

Those measures are reported under strategic objective 1 above.

## Key achievements during the reporting period

- OQPC continued to work with DPC and other key partners toward a process for the clear ordering of priorities within the government's legislative program.
- OQPC maintained and developed professional working relationships with instructing agencies through instructor training sessions and other strategic engagement.

- OQPC engaged formally and informally with the Clerk of the Parliament and Table Office staff about legislative procedure.
- Queensland legislation website training was delivered to the Ombudsman's office and Queensland Health. The training will be expanded in the next reporting period to other stakeholders including the legal profession.

## Future direction

OQPC's priorities in 2022-23 are to:

- Pursue excellence in legislative drafting and access: identify and adopt best practice in drafting Bills, amendments to Bills, and subordinate legislation, having regard to fundamental legislative principles and compatibility with human rights.
- Continue to identify and adopt best practice in making Queensland legislation easy to find, easy to understand, and easy to use; ensure timely access to Bills, legislation, and related information and maintain open data arrangements.
- Cultivate a skilled, flexible, and resilient workforce through initiatives that:
  - maintain a highly skilled and highperforming workforce
  - provide staff with a range of opportunities for ongoing professional and personal development
  - continue to support mental health and wellbeing
  - improve the effectiveness of our performance development processes
  - encourage and facilitate the sharing of learnings within and between teams.

- Foster a healthy and inclusive workplace through initiatives that:
  - further develop a workplace culture that fosters the health, happiness, flexibility and fulfilment of our people
  - improve regular internal communication, seeking views, listening to staff, clearly communicating and explaining management decisions, and openly discussing issues as they arise
  - encourage greater office-wide cohesion.
- Strengthen strategic engagement with partners to:
  - build stronger functional relationships and open channels of communication with DPC and Cabinet, Table Office, client departments and other partners
  - document mutual understanding with the Department of the governance relationship between OQPC and DPC
  - continue to work with key partners toward a process for the clear ordering of priorities within the government's legislative program
  - work with stakeholders to continuously improve the quality of access to Queensland legislation.
- Foster stewardship of innovation and change to:
  - identify and adopt best practice in making Queensland legislation easy to find, easy to understand, and easy to use; make effective use of technological resources and explore future drafting and publishing solutions to enhance the services we provide.
  - utilise the Technology Advisory Group to generate, review and recommend current and future system enhancements.

### Service Delivery Statement

Service Area: Legislative Drafting and e- Publishing	Notes	2021-2022 Target	2021-2022 Actual
Effectiveness measures			
Overall client satisfaction with legislative drafting services provided by the Office of the Queensland Parliamentary Counsel	1	90%	100%
Overall client satisfaction with the quality of access to legislation available online	1	90%	100%
Efficiency measure			
Average cost per hour of legislative drafting and publishing output		New measure	New measure
Discontinued measure			
Average cost per hour of legislative drafting and publishing output	2	\$154	\$155

Notes:

- 1. The wording of the service standard has been amended to clarify it is a measurement of overall satisfaction. There has been no change to the calculation methodology.
- 2. This service standard has been discontinued as the calculation methodology has changed and past performance is no longer comparable. The service standard has been re-introduced with the new calculation methodology.

\* The Annual Report 2020–2021 incorrectly reported the efficiency measure result as \$144, the correct actual was \$148.

### Our governance

### Executive Management Group

The Executive Management Group (EMG) of OQPC comprises the Parliamentary Counsel, two Deputy Parliamentary Counsel (Legislative Program) and the Executive Director, Legislation and Business Services.

The EMG meets monthly. To promote transparency, minutes, action items and a communique from each EMG meeting are published on OQPC's intranet.

The EMG is primarily a strategic forum that focuses on the future direction of the office by:

- identifying and considering emerging governance issues and major corporate activities
- reviewing and providing assurance on the effectiveness of governance and risk management arrangements
- review and approving corporate policies and processes, strategies and action plans in relation to governance matters
- acting as a forum for strategic information-sharing
- considering the impacts of whole-ofgovernment and DPC initiatives on OQPC's activities.

### Tony Keyes – Parliamentary Counsel

Tony Keyes was appointed as Parliamentary Counsel on 15 October 2018. Tony studied law and arts at the University of Queensland and was admitted as a solicitor of the Supreme Court of Queensland in 1990.

Tony has had a long and varied legal career, including private and community-sector practice, policy and investigative work at the Criminal Justice Commission, the Ombudsman's Office and the Law Reform Commission, working in law and justice policy for DPC, and serving for almost 10 years as Senior Deputy Crown Solicitor at Crown Law.

### Sandra Lawson – Deputy Parliamentary Counsel

Sandra Lawson has more than 20 years' experience drafting legislation. She was appointed Deputy Parliamentary Counsel in July 2018, having worked in various drafting roles at OQPC since 2001.

Before joining OQPC, Sandra was a drafter in the New Zealand Parliamentary Counsel Office. Sandra studied law at the Victoria University of Wellington and was admitted as a barrister and solicitor of the High Court of New Zealand in 1995.

Sandra also worked as a solicitor in private practice, before discovering that legislation is her true calling.

### Katy Le Roy – Deputy Parliamentary Counsel

Katy Le Roy was appointed Deputy Parliamentary Counsel in July 2018. Prior to joining OQPC, Katy had served as a Parliamentary Counsel in the New Zealand Parliamentary Counsel Office and as the head of the Nauru Parliamentary Counsel Office.

Katy was admitted as a barrister and solicitor of the Supreme Court of Victoria in 1999. She obtained her LLB (Hons) and PhD from the University of Melbourne, where she later lectured and worked as a research fellow.

Katy also has experience as a solicitor in private practice, as in-house counsel, and as a consultant legal advisor.

### Nicola Busch – Executive Director, Legislation and Business Services

Nicola Busch was appointed as Executive Director, Legislation and Business Services in August 2021.

Prior to joining OQPC, Nicola served as the Director, Office of the Commissioner, Queensland Ambulance Service. Nicola's public sector career has been strongly oriented towards stakeholder engagement, corporate governance, business improvement and executive services functions.

Nicola has tertiary qualifications in business and public sector management and is a certified practising accountant.

### Governance framework

OQPC's corporate governance framework supports strategic and operational planning and mandated reporting aligned to the Queensland Government Performance Management Framework.

### **Business continuity**

OQPC's Business Continuity Plan (BCP) is a functional plan for managing disruptions to operations and service delivery. The plan ensures business continuity in the event of a critical incident. The BCP complies with the DPC Business Continuity Framework (Crisis Response) which provides a whole-ofdepartment and whole-of-government context for business continuity in a crisis situation.

The Business Continuity Working Group review the BCP quarterly and refresh the plan annually. OQPC also participates in annual desktop scenario BCP testing with DPC.

# Committee and working group membership

OQPC provides a valuable contribution to the government's objectives through membership on the following committee structures and working groups within DPC:

- Executive Leadership Team
- Finance, Performance and Planning, and Risk subcommittee
- Information Steering subcommittee
- People and Capability subcommittee
- Diversity and Inclusion subcommittee.

### Other governance matters

Other governance matters as they relate to OQPC are addressed in the DPC Annual Report. The following governance matters relate specifically to OQPC.

### Information systems

Since 2016, for drafting and publishing legislation, the office has used the QuILLS, a complete end-to-end proprietary system to create, manage, publish and store authorised versions of Queensland legislation.

OQPC continues to advance the features and services of the product to further enhance access to Queensland legislation.

QuILLS also offers a dynamic, databasedriven website for access to Queensland legislation via the Queensland legislation website, and in 2022 the office expanded access to Queensland legislation by offering programmatical access via a dedicated Application Programming Interface (API) website offering.

### Record keeping

QuILLS, OQPC's legislative drafting and publishing system, is the published document repository for legislative documents drafted by the office and information related to legislation drafting projects.

OQPC ensures that QuILLS and other recordkeeping systems and processes comply with the *Public Records Act 2002*, policies under that Act and Queensland Government Enterprise Architecture information standards.

### Workforce planning

OQPC's EMG continuously engages in strategic workforce planning. The EMG is committed to building an inclusive, agile and capable workforce to ensure the office is well positioned to achieve objectives and meet future business needs and the expectations of its stakeholders. During 2021–22, OQPC:

- encouraged inclusive staff engagement through our intranet (the Hub) to promote activities organised by the Fun Squad 2.0 (the OQPC social club), and awareness of stress management techniques
- invested in employee wellbeing supporting Queensland Mental Health Week, RUOK? Day
- contributed to DPC's Health and Safety Committee
- contributed to DPC-led initiatives that focused on multi-dimensional aspects of staff wellbeing (physical, financial, psychological, social and work) such as the blood drive, flu vaccinations and skin cancer assessments

- encouraged employees to participate in domestic and family violence awareness events and initiatives, including Darkness to Daylight Challenge, White Ribbon Day and Domestic and Family Violence Prevention Month
- continued to progress the All roles flex approach encouraging employees to successfully access and implement flexible working agreements
- supported staff who volunteered for the Community Recovery Ready Reserve efforts
- advertised vacant roles using the new flexible options on the SmartJobs website to attract job applicants from diverse backgrounds
- continued to support commitments and implement initiatives in the *Cultural capability action plan* to strengthen an inclusive, diverse and culturally capable workforce
- supported LGBTIQ+ events and initiatives including wearing rainbow lanyards to show support for LGBTIQ+ employees
- participated in NAIDOC initiatives including immersion walking tours, visits to the Ration Shed Museum in Cherbourg and Cultural Capability Training

### Workforce Profile data

The following is a snapshot of the workforce profile for 2021-2022 based on June 2022 Minimum Obligatory Human Resources Information (MOHRI)<sup>1</sup> data.

#### Figure 1: Workforce Profile Data

Full-time equivalent	FTE
Total FTE for the Office of the Queensland Parliamentary Counsel	43.35

#### Figure 2: Target group data<sup>2</sup>

Gender	Number (Headcount)	Percentage of total workforce (calculated on headcount)
Woman	29	63.04%
Man	17	36.96%
Non-binary	<5	0.00%
Diversity Groups	Number (Headcount)	Percentage of total workforce (calculated on headcount)
Women	29	63.04%
Aboriginal Peoples and Torres Strait Islander Peoples	<5	0.00%
People with disability	<5	8.70%
Culturally and Linguistically Diverse – Born overseas	<5	2.17%
Culturally and Linguistically Diverse – Speak a language at home other than English (including Aboriginal and Torres Strait Islander languages or Australian South Sea Islander languages)	<5	0.00%
	Number (Headcount)	Percentage of total Leadership Cohort (Calculated on headcount)
Women in Leadership Roles <sup>3</sup>	10	76.92%

- 1. MOHRI FTE data for fortnight ending 17 June 2022.
- 2. To ensure privacy, in tables where there are less than 5 respondents in a category, specific numbers are to be replaced by <5.
- 3. Women in leadership roles are considered those positions that are Senior Officer and equivalent and above.

## Glossary

BCP	Business Continuity Plan	MOHRI	Minimum Obligatory Human Resources Information
DPC	Department of the Premier and Cabinet	OQPC <i>or</i> the office	Office of the Queensland Parliamentary Counsel
EMG	Executive Management Group	QuILLS	Queensland Integrated Legislation Lifecycle System
FLPs	Fundamental Legislative Principles	SDS	Service Delivery Statements
FTE	Full time equivalent	WfQ	Working for Queensland
ITS	Information Technology Services	YMCA	Young Men's Christian Association
LEaPS	Legislation Editing and Publishing Service		

### **Financial Information**

#### Department of the Premier and Cabinet

#### Statement of Comprehensive income

#### Office of the Queensland Parliamentary Counsel for the year ended 30 June 2022

Income Appropriation revenue User charges and fees Grants and other contributions Other revenue	2022 \$'000 12,214 124 - 185	2021 \$'000 11,899 58 - 201
Total Revenues	12,523	12,158
<b>Expenses</b> Employee expenses Supplies and services Grants and subsidies Depreciation and amortisation Other expenses	9,119 3,174 5 203 22	8,491 3,347 13 225 82
Total Expenses	12,523	12,158
Operating Result for the year	<u> </u>	

Note:

The Office of the Queensland Parliamentary Counsel is included in the Department of the Premier and Cabinet Finance Statements as a major departmental service unit. Refer to notes in the financial statements of the Department of the Premier and Cabinet's Annual Report 2021-2022 for relevant accounting policies and related information.

## Compliance Checklist

Summary of Re		Basis for requirement	Annual report reference
Letter of compliance	<ul> <li>A letter of compliance from the accountable officer or statutory body to the relevant Minister/s</li> </ul>	ARRs – section 7	page i
Accessibility	<ul><li>Table of contents</li><li>Glossary</li></ul>	ARRs – section 9.1	page 1 page 25
	<ul> <li>Public availability</li> </ul>	ARRs – section 9.2	inside front cover
	<ul> <li>Interpreter service statement</li> </ul>	<i>Queensland Government Languages Services Policy</i>	inside front cover
		ARRs – section 9.3	
	<ul> <li>Copyright notice</li> </ul>	Copyright Act 1968	inside front cover
		ARRs – section 9.4	
	<ul> <li>Information licensing</li> </ul>	QGEA – Information Licensing	inside front cover
		ARRs – section 9.5	
General Information	<ul> <li>Introductory Information</li> </ul>	ARRs – section 10	page 4
Non-financial performance	<ul> <li>Government's objectives for the community and whole-of- government plans / specific initiatives</li> </ul>	ARRs – section 11.1	page 6
	<ul> <li>Agency objectives and performance indicators</li> </ul>	ARRs – section 11.2	page 15
	<ul> <li>Agency service areas and service standards</li> </ul>	ARRs – section 11.3	page 20
Financial Performance	<ul> <li>Summary of financial performance</li> </ul>	ARRs – section 12.1	page 26
Governance – management	<ul> <li>Organisational structure</li> </ul>	ARRs – section 13.1	page 8
and structure	<ul> <li>Executive management</li> </ul>	ARRs – section 13.2	page 21
	<ul> <li>Governance bodies (statutory bodies and other entities)</li> </ul>	ARRs – section 13.3	nil
	<ul> <li>Public Sector Ethics</li> </ul>	<i>Public Sector Ethics Act</i> 1994	DPC 2021-2022 Annual Report
		ARRs – section 13.4	
	<ul> <li>Human Rights</li> </ul>	Human Rights Act 2019	page 14
		ARRs – section 13.4	
	<ul> <li>Queensland Public Sector Values</li> </ul>	ARRs – section 13.6	DPC 2021-2022 Annual Report

Summary of Re	quirement	Basis for requirement	Annual report reference
Governance – risk	<ul> <li>Risk management</li> </ul>	ARRs – section 14.1	DPC 2021-2022 Annual Report
management and	<ul> <li>Audit committee</li> </ul>	ARRs – section 14.2	DPC 2021-2022 Annual Report
accountability	<ul> <li>Internal audit</li> </ul>	ARRs – section 14.3	DPC 2021-2022 Annual Report
	<ul> <li>External scrutiny</li> </ul>	ARRs – section 14.4	DPC 2021-2022 Annual Report
	<ul> <li>Information systems and record keeping</li> </ul>	ARRs – section 14.5	page 22-23
	<ul> <li>Information security attestation</li> </ul>	ARRs – section 14.6	DPC 2021-2022 Annual Report
Governance – human resources	<ul> <li>Strategic workforce planning and performance</li> </ul>	ARRs – section 15.1	page 23-24
	<ul> <li>Early retirement, redundancy and retrenchment</li> </ul>	Directive No. 04/18 <i>Early</i> <i>Retirement, Redundancy</i> <i>and Retrenchment</i> ARRs – section 15.2	DPC 2021-2022 Annual Report
Open Data	<ul> <li>Statement advising publication of information</li> </ul>	ARRs – section 16	inside front cover
	<ul> <li>Consultancies</li> </ul>	ARRs – section 31.1	https://data.qld.gov.au
	<ul> <li>Overseas travel</li> </ul>	ARRs – section 31.2	https://data.qld.gov.au
	<ul> <li>Queensland Language Services Policy</li> </ul>	ARRs – section 31.3	https://data.qld.gov.au
Financial statements	<ul> <li>Certification of financial statements</li> </ul>	FAA – section 62 FPMS – sections 38, 39 and 46 ARRs – section 17.1	DPC 2021-2022 Annual Report
	<ul> <li>Independent Auditor's Report</li> </ul>	FAA – section 62 FPMS – sections 46 ARRs – section 17.2	DPC 2021-2022 Annual Report

FAA – *Financial Accountability Act 2009* FPMS – *Financial and Performance Management Standard 2019* ARRs – Annual Report requirements for Queensland Government agencies

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