

Office of the Queensland Parliamentary Counsel

ANNUAL REPORT 2020–2021



Queensland
Government

Acknowledgement 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 2020-21. 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 the Premier and Cabinet (DPC), and so OQPC's Annual Reporting requirements under that Act are met through DPC's Annual Report for 2020-21. 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 2020-24 Strategic Plan and the 2020-21 Service Delivery Statement.

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

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Letter of compliance

27 September 2021

The Honourable Anastacia Palaszczuk MP
Premier of Queensland and Minister for Trade
1 William Street
Brisbane City QLD 4000

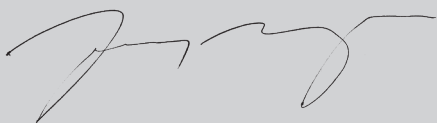
Dear Premier

I am pleased to present for tabling in the Legislative Assembly the Annual Report 2020-21 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 2020-21. 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



A D Keyes

Queensland Parliamentary Counsel

Our year in review

Message from the Parliamentary Counsel

I am pleased to present the Annual Report of the Office of the Queensland Parliamentary Counsel. This report shows the progress against our objectives outlined in our Strategic Plan 2020–24 and includes outcomes against our specific areas of focus for 2020–21.

The Office of the Queensland Parliamentary Counsel (OQPC) is a statutory authority established on 1 June 1992 under the *Legislative Standards Act 1992* to achieve the purposes of the Act, namely, to ensure that:

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

Since that time, the office has met those objectives in a professional, effective, economical and independent way.

The 2020–21 financial year was the first full reporting period since the COVID-19 pandemic began. Last year I wrote about the pandemic’s early effects on OQPC. Broadly speaking, those effects have continued and evolved. For example, much of our drafting, editing and publishing effort has again been devoted to COVID-19 related legislative activity. The legislative structure for that effort was established during 2019–20 with significant COVID-19 specific amendments to the *Public Health Act 2005* and the enactment of the *COVID-19 Emergency Response Act 2020*. That legislation authorises the declaration of public health emergencies, confers the power

to make the public health directions with which Queenslanders have become very familiar, makes a series of significant modifications of existing Queensland legislation, and confers COVID-19 related regulation-making powers. As in the previous year, there have been other COVID-19 related amendments to existing Queensland Acts and subordinate legislation. More detail of that activity is given later in this report.

While work on pandemic-related legislation continued to be a priority, the general legislative business has continued. That work was assisted by the return, early in the reporting period, to a more predictable and regular program of parliamentary sittings. In that environment, OQPC has continued to work with central and other client agencies to reprioritise the production and publication of legislation to ensure the delivery of ordinary government business.

Like many other workplaces, OQPC continues to feel the broader social and economic effects of the pandemic and the various public health measures taken in response. OQPC activated its business continuity plan at intervals during the year in response to successive lockdowns. OQPC is now well adapted to exclusively working remotely when required, both in terms of technological capability and the sociocultural challenges. Throughout the periods of exclusively remote work, the delivery of the office’s statutory functions has continued without any interruption. That is a testament to the professionalism and dedication of every team member. Having developed those capabilities, we have expanded and regularised the use of flexible

work arrangements as a means of improving employees' work-life balance.

The three core functions set out above require the development and maintenance of a professional and able workforce. It consists of legally qualified legislative drafters, expert editors and publishers, information and technology experts and corporate support. OQPC is fortunate to be served by dedicated and diligent officers who are devoted to serving the people of Queensland in these ways.

Fundamental legislative principles (FLPs) are the principles that underlie a parliamentary democracy based on the rule of law. FLPs include requiring that legislation have sufficient regard to the institution of parliament, and to the rights and liberties of individuals. Lawmakers and policy professionals are generally familiar with FLPs, but it remains an important part of the office's work to advise Ministers, members, departments and agencies on the application of FLPs.

On 1 June 2021 (OQPC's 29th anniversary), we launched our corporate website < www.oqpc.qld.gov.au >. For many years, OQPC's corporate web presence was limited to an 'About us' page on the Queensland legislation website. This meant that the website contained both Queensland

legislation and legislative information (of interest to most visitors) as well as OQPC corporate information (of interest to a smaller cohort of instructing agencies and other clients and colleagues). The new corporate website provides a distinct OQPC corporate source and reserves the Queensland legislation website for purely legislative content.

The office collaborates with the Department of the Premier and Cabinet (DPC) to deliver on the government's objectives for the community. Further detailed information in relation to the office's financial performance and strategic alignment with the department to ensure the delivery of a robust system of government can be found in DPC's 2020–21 Annual Report.

The office looks forward to building on our collaborative partnerships and further improving the performance of our statutory functions in the public interest.



A D Keyes

Queensland Parliamentary Counsel

Highlights

2020 – 2021

328 total drafted instruments representing **7,978** drafted pages of legislation

834 reprints produced representing **151,487** reprinted pages

35 government bills representing **1,668** drafted pages

5 private member bills representing **212** drafted pages

25 amendments during consideration in detail representing **170** drafted pages

234 subordinate legislation instruments representing **4,260** drafted pages

7,548,859

website views of the Queensland legislation website representing

3,962,345

website visits

About our office

Our role

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 purpose

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
- 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’s 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 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.

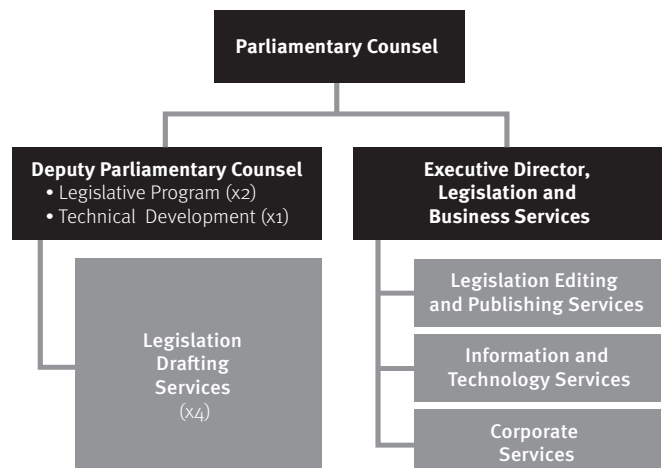
Organisational Structure

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

OQPC's structure consists of the Parliamentary Counsel, 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 organisational chart reflects the office structure as at 30 June 2021.

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 and through high-level committee membership.



Legislation Drafting Services

The Deputy Parliamentary Counsel leads 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 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. The team delivers high quality tiers 1-3 support services for OQPC's systems and its staff, including project and information management, contract and vendor management, compliance, 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 for human resource management, corporate governance and finance functions are delivered in accordance with legislation, industry standards and using best practice methodology.

Our operating environment

A review of OQPC's progress against statutory obligations

Delivering the government's legislative program

During the reporting period OQPC drafted all of Queensland'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

Five Bills drafted by OQPC during the reporting period were prepared for non-government members of the Legislative Assembly.

OQPC also supplied eight non-government 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 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 234 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.

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 part 7 of the *Statutory Instruments Act 1992* and provides for a 10-year cycle for review and remaking of subordinate legislation. Exemptions from expiry are strictly limited.

In August 2020, 69 instruments were exempted from expiry until specified dates. Of the instruments shown as exempt from expiry in schedule 1 of the *Statutory Instruments Regulation 2012* as at 30 June 2021:

- 5 were exempt on the basis they were uniform subordinate legislation
- 17 were exempt on the basis replacement instruments were being drafted
- 47 were exempt on the basis that the Acts under which the instruments were made were subject to review (2 of the 47 are first exemptions).

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 section 7 of the *Legislative Standards Act 1992*, OQPC has a specific function to provide advice on alternative ways of achieving policy objectives when drafting legislation. The development of legislation involves consultation 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 they:

- 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 committee to any particular breach
- 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. When appropriate, OQPC provides a formal briefing note to DPC and the instructing department. This process facilitates a whole-of-government 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, opportunities and challenges

OQPC works within an increasingly complex operating environment, faced with many challenges that 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 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 objectives and strategies:

- build stronger relationships with key partners towards a process for the clear ordering of whole-of-government legislative priorities
- engage with clients about individual departments’ legislative priorities
- improve staff retention and professional development by implementing strategies specified in our Strategic Plan 2021-24
- actively participate in Information Standard 18 Information Security compliance activities and reporting
- keep business continuity planning processes under review
- learn from past business continuity experience 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 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 to experience and gain first-hand knowledge of drafting.

Publishing clients

Clients of OQPC's publishing services are stakeholders who access legislation published on the 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 and 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

- helping with the Bill-to-Act process for Youth Bills passed by the Youth Parliament.

Significant policy impacting on service delivery

There are no identified significant initiatives or policy changes that 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 2020-21 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 2020-21.

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 2021, a statement assessing OQPC’s financial internal controls has been provided by the Parliamentary Counsel to the chief finance officer of DPC. The information was prepared in accordance with section 54 of the *Financial and Performance Management Standard 2019*.

Further information is provided in DPC’s 2020-21 Annual Report.

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.

Our performance

A review of OQPC's progress against strategic objectives

Strategic Objectives

This section reports on OQPC's strategic objectives under the strategic plan 2020-24. The strategic objectives align to OQPC's service area objective presented in the 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

1. 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.
2. 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 measures for the legislative drafting and e-publishing 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 \$144 per hour for the average cost per hour of legislative drafting and publishing output was less than the Target/Estimate of \$151 per hour.
- In addition to the SDS effectiveness and efficiency measures, the OQPC strategic plan 2020-24 included a timeliness measure that legislative consolidations (reprints) be published within 3 day of commencement.
- There were 834 reprints (151,487 pages) published in the reporting period and 80 percent were published within three days.
- The legislation program was delivered on time and produced:
 - 35 government Bills (1,668 pages)
 - 5 private member Bills (212 pages)

- 17 government amendments for consideration in detail (141 pages)
- 8 private member amendments for consideration in detail (29 pages)
- 234 instruments of subordinate legislation (4,260 pages)
- Open data arrangements for the release of Queensland legislation were maintained consistently throughout the reporting period.

Key achievements during the reporting period

- Significant legislation drafted and introduced into the Legislative Assembly in the reporting period includes:
 - ***Debt Reduction and Savings Bill 2021***
The purpose of this Bill was to support the State's contribution to the Queensland Future (Debt Retirement) Fund established under the *Queensland Future Fund Act 2020*.
 - ***Voluntary Assisted Dying Bill 2021***
The purpose of this Bill was to give persons who are suffering and dying, and who meet eligibility criteria, the option of requesting medical assistance to end their lives.
 - ***Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020***
The main purpose of this Bill was to recognise Ailan Kastom child rearing practice and establishing a process for making applications, and decisions about, the legal recognition of the practice.
 - ***Youth Justice and Other Legislation Amendment Bill 2021***
The purpose of this Bill was to strengthen the youth justice bail framework.
- ***Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020***
The purpose of this Bill was to implement the government's response to particular recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse's criminal justice report.
- ***COVID-19 Emergency Response and Other Legislation Amendment Bill 2021***
The purpose of this Bill was to extend the operation of COVID-19 related legislation.
- ***Nature Conservation and Other Legislation (Indigenous Joint Management – Moreton Island) Amendment Bill 2020***
The purpose of this Bill was to provide for joint management of protected areas on Moreton Island (Mulgumpin).
- ***Queensland Veterans' Council Bill 2021***
The purpose of this Act is to establish the Queensland Veterans' Council.
- ***Criminal Code and Other Legislation (Wage Theft) Amendment Bill 2020***
The objective of this Bill was to implement the underlying policy intent of recommendations 8 and 15 of the report *A fair day's pay for a fair day's work?* Exposing the true cost of wage theft in Queensland.
- Significant subordinate legislation drafted and made by the Governor in Council in the reporting period included:
 - ***Body Corporate and Community Management (Accommodation Module) Regulation 2020***
 - ***Body Corporate and Community Management (Commercial Module) Regulation 2020***

- *Body Corporate and Community Management (Small Schemes Module) Regulation 2020*
- *Body Corporate and Community Management (Specified Two-lot Schemes Module) Amendment Regulation 2020*
- *Body Corporate and Community Management (Standard Module) Regulation 2020*
- *Justice Legislation (COVID-19 Emergency Response – Proceedings and Other Matters) Regulation 2020 [plus a suite of other COVID-19 Emergency Response regulations]*
- *Fisheries Legislation Amendment Regulation 2020*
- *Health (Drugs and Poisons) (COVID-19 Vaccination Services) Amendment Regulation 2021*
- *Nature Conservation (Animals) Regulation 2020*
- *Nature Conservation (Plants) Regulation 2020.*

Strategic objective 2:

A skilled, flexible and resilient workforce

1. Cultivate a highly skilled and high-performing 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 2020-24 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 2020 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 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.

With a succession of COVID-19 lockdowns, increasing uptake of flexible work arrangements and expenditure constraints, professional and personal development opportunities were predominantly delivered in an online environment. While interpersonal networking opportunities were limited as a result, a pleasingly wide range of content was available to staff.

Strategic objective 3:

Stewardship of innovation and change.

1. 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 2020-24 were:

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

Those measures are reported under strategic objective 1 above (page 13).

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.
- OQPC developed and deployed a corporate website < www.oqpc.qld.gov.au >. The website provides information about the office, including the services we provide and information about instructing OQPC.

Strategic objective 4:

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 above (page 15).

Key achievements during the reporting period

- During successive COVID-19 lockdowns, OQPC demonstrated seamless continuity of service delivery by exclusively electronic means.

- This enabled us to support an increasing uptake of 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 work-life balance.

Strategic objective 5:

Strategic engagement with partners

1. Build stronger functional relationships and open channels of communication with the 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 (page 13).

Key achievements during the reporting period

- OQPC continued to work with DPC and other key partners towards 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 a range of instructing departments and the Queensland Parliamentary Service. The training will be expanded in the next reporting period to other stakeholders including the legal profession.

Future direction

OQPC's priorities for 2021-22 are to:

- Pursue excellence in legislative drafting and access to legislation by adopting best practice in making Queensland legislation easy to find, easy to understand and easy to use and maintaining open data arrangements.
- Cultivate a highly skilled and high-performing workforce by giving our people a range of opportunities for ongoing professional and personal development.
- Make effective use of our technological resources and explore future drafting and publishing solutions to enhance the services we provide.
- Further develop a healthy workplace culture.
- Continue to work with key partners towards a process for the clear ordering of priorities within the government's legislative program.

Service Delivery Statement

The Department of the Premier and Cabinet (DPC) portfolio Service Delivery Statement (SDS) published as part of the 2020-21 Budget papers presents an overview of the Office of the Queensland Parliamentary Counsel's (OQPC) performance aligned to the strategic plan and government objectives.

The primary aim of the SDS is to showcase how the office delivers services efficiently and effectively against strategic objectives. The efficiency and effectiveness measures provide a comparative assessment of the estimated actual results against the targets assigned in the prior years' SDS.

The effectiveness and effectiveness measures on the SDS are aligned to OQPC's strategic directives and strengthens the collaborative partnership within the DPC to deliver a robust system of government.

The office activities and processes that contributed to the achievement of the government's objectives for the community are:

- Identifying and adopting best practice in drafting legislation with regard to the fundamental legislative principles (effectiveness measure). Annual client satisfaction survey results identify that the overall satisfaction with the service of legislation drafting services provided was 100 per cent in the reporting period.
- Identifying and adopting best practice in providing access to Queensland legislation and information about legislation that is readily accessible to the community (effectiveness measure). Annual client satisfaction survey results identify that the overall satisfaction with the quality of access to legislation online was 100 per cent in the reporting period.
- Efficiently using resources to deliver the legislative program within a fiscally responsible and economically sustainable framework to ensure that the average cost per hour of legislative drafting and publishing output is at or below the service delivery threshold (efficiency measure). During the reporting period the office met this objective by delivering the legislative program at an average cost of \$144 per hour which is below the threshold value of \$151 per hour.

The following service standards in DPC's 2020–2021 Service Delivery Statement were used by the Office and the government to assess overall performance of the Legislative Drafting and e-Publishing service area.

Legislative Drafting and e-Publishing	2020-21 Target/Est	2020-21 Actual
Client satisfaction with legislative drafting services provided by OQPC	90%	100%
Client satisfaction with the quality of access to legislation available online	90%	100%
Average cost per hour of legislative drafting and publishing output	\$151/hour	\$148/hour

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. The proceedings are transparent and all decisions are taken in consultation with affected persons. Ordinary public sector ethical conduct requirements apply to all EMG proceedings.

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-of-government 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 the 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 Parliamentary Counsel in 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.

Executive Director, Legislation and Business Services

The Executive Director, Legislation and Business Services position was substantively vacant throughout the reporting period. In the interim this role was filled through internal acting arrangements. It has been substantively filled since the end of the reporting period.

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-of-department 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
- Corporate Governance Group
- Finance Committee
- Risk Committee
- Performance and Strategy Committee
- People and Capability Committee

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

For drafting and publishing legislation the office uses QuILLS, a proprietary system to create, manage, publish and store authorised versions of legislation. This system also offers a dynamic, database-driven website for access to Queensland legislation.

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.

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

Workforce profile

In 2020-21 the Office of the Queensland Parliamentary Counsel employed 45.57 full-time

equivalents with 24 per cent of the workforce accessing part-time arrangements.

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, meet future business needs and the expectations of its stakeholders.

During 2020-21, 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 and visits to the Ration Shed Museum in Cherbourg.

Glossary

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

Financial Information

Department of the Premier and Cabinet Statement of Comprehensive Income

Office of the Queensland Parliamentary Counsel for the year ended 30 June 2021

	2021 \$'000	2020 \$'000
Income		
Appropriate revenue	11 899	12 388
User charged and fees	58	7
Grants and other contributions	—	43
Other revenue	201	150
Total revenues	12 158	12 588
Expenses		
Employee expenses	8 491	8 537
Supplies and services	3 347	3 799
Grant and subsidies	13	4
Depreciation and amortisation	225	232
Other expenses	82	17
Total expenses	12 158	12 588
Total Comprehensive Income	—	—

Note:

The Office of Queensland Parliamentary Counsel is included in Department of Premier and Cabinet Financial 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 2020-2021 for relevant accounting policies and related information.

Financial Information

Department of the Premier and Cabinet Statement of Assets and Liabilities

Office of the Queensland Parliamentary Counsel for the year ended 30 June 2021

	2021 \$'000	2020 \$'000
Current Assets		
Cash and cash equivalents	1 900	(1 575)
Receivable and loans receivable	167	123
Other	172	285
Total Current Assets	2 239	(1 167)
Non-Current Assets		
Receivables and loans receivable	—	—
Intangible assets	1 864	2 080
Property, plant and equipment	28	72
Total Non-Current Assets	1 892	2 152
Total Assets	4 131	985
Current Liabilities		
Payables	234	200
Accrued employee benefits	202	253
Total Current Liabilities	436	453
Non-Current Liabilities		
Payables	—	—
Total Non-Current Liabilities	—	—
Total Liabilities	436	453

Note:

The Office of Queensland Parliamentary Counsel is included in Department of Premier and Cabinet Financial 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 2020-2021 for relevant accounting policies and related information.

Compliance checklist

Summary of requirements		Basis for requirement	Annual Report reference
Letter of compliance	<ul style="list-style-type: none"> A letter of compliance for the accountable officer or statutory body to the relevant Minister/s 	ARRs – section 7	inside front cover
Accessibility	<ul style="list-style-type: none"> Table of contents Glossary 	ARRs – section 9.1	page ii page 22
	<ul style="list-style-type: none"> Public availability 	ARRs – section 9.2	back cover
	<ul style="list-style-type: none"> Interpreter service statement 	<i>Queensland Government Language Services Policy</i> ARRs – section 9.3	inside front cover
	<ul style="list-style-type: none"> Copyright notice 	<i>Copyright Act 1668</i> ARRs – section 9.4	inside front cover
	<ul style="list-style-type: none"> Information licensing 	<i>QGEA – Information licensing</i> ARRs – section 9.5	inside front cover
General information	<ul style="list-style-type: none"> Introductory information 	ARRs – section 10	page 1
Non-financial performance	<ul style="list-style-type: none"> Government's objectives for the community and whole-of-government plans/specific initiatives 	ARRs – section 11.1	page 4
	<ul style="list-style-type: none"> Agency objectives and performance indicators 	ARRs – section 11.2	page 13
	<ul style="list-style-type: none"> Agency service areas and service standards 	ARRs – section 11.3	page 18
Financial performance	<ul style="list-style-type: none"> Summary of financial performance 	ARRs – section 12.1	page 12
Governance – management and structure	<ul style="list-style-type: none"> Organisational structure 	ARRs – section 13.1	page 5
	<ul style="list-style-type: none"> Executive management 	ARRs – section 13.2	page 19
	<ul style="list-style-type: none"> Government bodies (statutory bodies and other entities) 	ARRs – section 13.3	nil
	<ul style="list-style-type: none"> Public Sector Ethics 	<i>Public Sector Ethics Act 1994</i> ARRs – section 13.4	DPC 2020-2021 Annual Report
	<ul style="list-style-type: none"> Human Rights 	<i>Human Rights Act 2019</i> ARRs – section 13.5	page 12
	<ul style="list-style-type: none"> Queensland public service values 	ARRs – section 13.6	DPC 2020-2021 Annual Report
Governance – risk management and accountability	<ul style="list-style-type: none"> Risk management 	ARRs – section 14.1	DPC 2020-2021 Annual Report
	<ul style="list-style-type: none"> Audit committee 	ARRs – section 14.2	DPC 2020-2021 Annual Report
	<ul style="list-style-type: none"> Internal audit 	ARRs – section 14.3	DPC 2020-2021 Annual Report
	<ul style="list-style-type: none"> External scrutiny 	ARRs – section 14.4	DPC 2020-2021 Annual Report
	<ul style="list-style-type: none"> Information systems and recordkeeping 	ARRs – section 14.5	page 20
	<ul style="list-style-type: none"> Information security attestation 	ARRs – section 14.6	DPC 2020-2021 Annual Report
Governance and human resources	<ul style="list-style-type: none"> Strategic workforce planning and performance 	ARRs – section 15.1	page 21
	<ul style="list-style-type: none"> Early retirements, redundancy and retrenchment 	<i>Directive No. 04/18 Early Retirement, Redundancy and Retrenchment</i> ARRs – section 15.2	DPC 2020-2021 Annual Report
Open Data	<ul style="list-style-type: none"> Statement advising publication of information 	ARRs – section 16	inside front cover
	<ul style="list-style-type: none"> Consultancies 	ARRs – section 33.1	https://data.qld.gov.au
	<ul style="list-style-type: none"> Overseas travel 	ARRs – section 33.2	https://data.qld.gov.au
	<ul style="list-style-type: none"> Queensland Language Services Policy 	ARRs – section 33.3	https://data.qld.gov.au

FAA *Financial Accountability Act 2009*

FPMS *Financial and Performance Management Standard 2019*

ARRs *Annual Report requirements for Queensland Government agencies*

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Office of the Queensland Parliamentary Counsel

www.oqpc.qld.gov.au