

Office of the Queensland Parliamentary Counsel

Annual Report 2003 - 2004

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Office of the Queensland Parliamentary Counsel, 2004

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

PO Box 185
Brisbane Albert Street
Queensland 4002

Telephone: 07 3237 0466
Facsimile: 07 3229 6295

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

Copies of this report are available on our web site or by contacting
the Manager, Corporate Support on 07 3237 0050.

Office of the
Queensland Parliamentary Counsel
Annual Report

2003 - 2004



Letter of transmission

Office of the Queensland Parliamentary Counsel

The Hon. Peter Beattie MP
Premier of Queensland

Dear Premier

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

The report covers the period 1 July 2003 to 30 June 2004.

A handwritten signature in black ink that reads "Peter Drew". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke at the end.

Peter Drew

Parliamentary Counsel

Contents

2003 - 2004

The year in review	1
Our organisation	3
History and key roles	3
Functions	3
Our clients	4
Drafting and advisory clients	5
Publishing clients	5
Strategic direction	5
Supporting the government's priorities	6
Planning	6
Our values	7
Reporting and evaluation	7
Our performance 2003-2004	8
Drafting services	11
Challenges	11
Performance	12
Delivery of the legislative program	12
Delivery of a drafting product of the highest standard	20
Review, document and communicate issues contributing to ensuring Queensland legislation is of the highest standard	22
Future challenges	23
Publishing services	25
Challenges	25
Performance	26
Providing legislation as made	26
Providing reprints of legislation	26
Providing the legislation database to other organisations	27
Providing information about legislation	28
Timely access	29
Client focus	30
Future challenges	32
Our staff	33
Challenges	33
Performance	34
Investing in people	34
Flexibility, equity and diversity	34
Decision-making, planning and feedback	35
Performance evaluation, rewards and recognition	36
Training	37
Review, document and communicate issues contributing to maximising staff capacity	38
Future challenges	38
Office systems	39
Challenges	39
Performance	39
Business planning	39
Using business systems to improve efficiency and quality	40
Required reporting	42
Future challenges	43
Index	44
Financial statements	45



The year in review | 2003 - 2004

Goals	Principal Activities	Achieving the purposes of the <i>Legislative Standards Act 1992</i>
<p>Provide an effective and efficient drafting service, ensuring Queensland legislation is of the highest standard</p>	<ul style="list-style-type: none"> ▶ 7 988 pages of legislation drafted ▶ 57 government Bills drafted ▶ 7 Bills for private members drafted ▶ 456 statutory instruments drafted ▶ 101 pages of amendments in committee drafted ▶ high-level advice on alternative ways of achieving policy objectives provided ▶ extensive on-going contact with clients for the planning and delivery of the legislative program continued 	<ul style="list-style-type: none"> ▶ high level of client satisfaction (92%) as measured by a survey of government departments (target 85%) ▶ all essential legislation delivered in a timely fashion to government and private members ▶ clear and simple drafting styles, with an emphasis on plain English maintained ▶ protection of the institution of Parliament and the rights and liberties of individuals through compliance with and continued cultivation of an awareness of fundamental legislative principles ▶ effective policy implementation through a high-quality drafting product ▶ access to justice by providing Parliament with the drafting services necessary to ensure there is an appropriate system of rules to govern our society
<p>Ensure Queensland legislation is readily available by providing responsive publication, advisory and information services</p>	<ul style="list-style-type: none"> ▶ 202 hard-copy reprints published (18 908 pages) ▶ 922 electronic reprints published (124 232 pages) ▶ 80.4% of electronic reprints published within two weeks of amendments commencing (target 75%) ▶ 100% of agreed deadlines met for printed publications ▶ changes to the style and presentation of Queensland legislation implemented 	<ul style="list-style-type: none"> ▶ free immediate public access to all versions of Queensland legislation as passed or made ▶ free public access to most electronic reprints soon after amendment ▶ continued improvement of the office's web site to enhance access to Queensland legislation ▶ access to justice by ensuring community access to the legislation that governs them and provides them with rights
<p>Maximise the capacity of our skilled and diverse staff to contribute to the achievement of corporate and government goals</p>	<ul style="list-style-type: none"> ▶ major change management of roles of a large proportion of non-drafting positions to improve corporate support, reprint and information management completed 	<ul style="list-style-type: none"> ▶ office capability maintained through retention of experienced staff and ongoing training ▶ continued implementation of performance development system
<p>Continually improve the capacity of office systems and processes to contribute to the achievement of corporate and government goals within established frameworks</p>	<ul style="list-style-type: none"> ▶ development of the office's web site continued, resulting in a further increase of users—an average of 4 152 per weekday for 2003–2004 (see table on page 29) ▶ major migration of the office's computer environment into the IT domain of the Department of the Premier and Cabinet developed and implemented, creating major efficiencies of service and support 	<ul style="list-style-type: none"> ▶ office capability and community access improved through continued enhancement of office systems ▶ adherence to whole-of-government standards

Our organisation

2003 - 2004

History and key roles

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

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

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

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

Functions

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

- ▶ drafting all government Bills
- ▶ drafting, if asked, proposed Bills for government entities other than departments and public service offices
- ▶ drafting, if asked, private members' Bills
- ▶ drafting all amendments of Bills for Ministers
- ▶ drafting, if asked, amendments of Bills for other members
- ▶ drafting all subordinate legislation other than exempt subordinate legislation
- ▶ drafting, if asked, all other instruments for use in, or in connection with, the Legislative Assembly
- ▶ in performing its drafting functions, providing advice to Ministers, members and government entities about alternative ways of achieving policy objectives and the application of fundamental legislative principles
- ▶ providing advice to the Governor in Council, Ministers, and government entities on the lawfulness of proposed subordinate legislation
- ▶ ensuring the Queensland statute book—that is, Queensland's written laws, including both Acts and subordinate legislation—is of the highest standard
- ▶ preparing reprints of Queensland legislation and information about Queensland legislation
- ▶ making arrangements for the printing of Queensland legislation and legislative information
- ▶ making arrangements for electronic access to Queensland legislation.

The Queensland statute book contains Queensland's written laws, including both Acts and subordinate legislation.

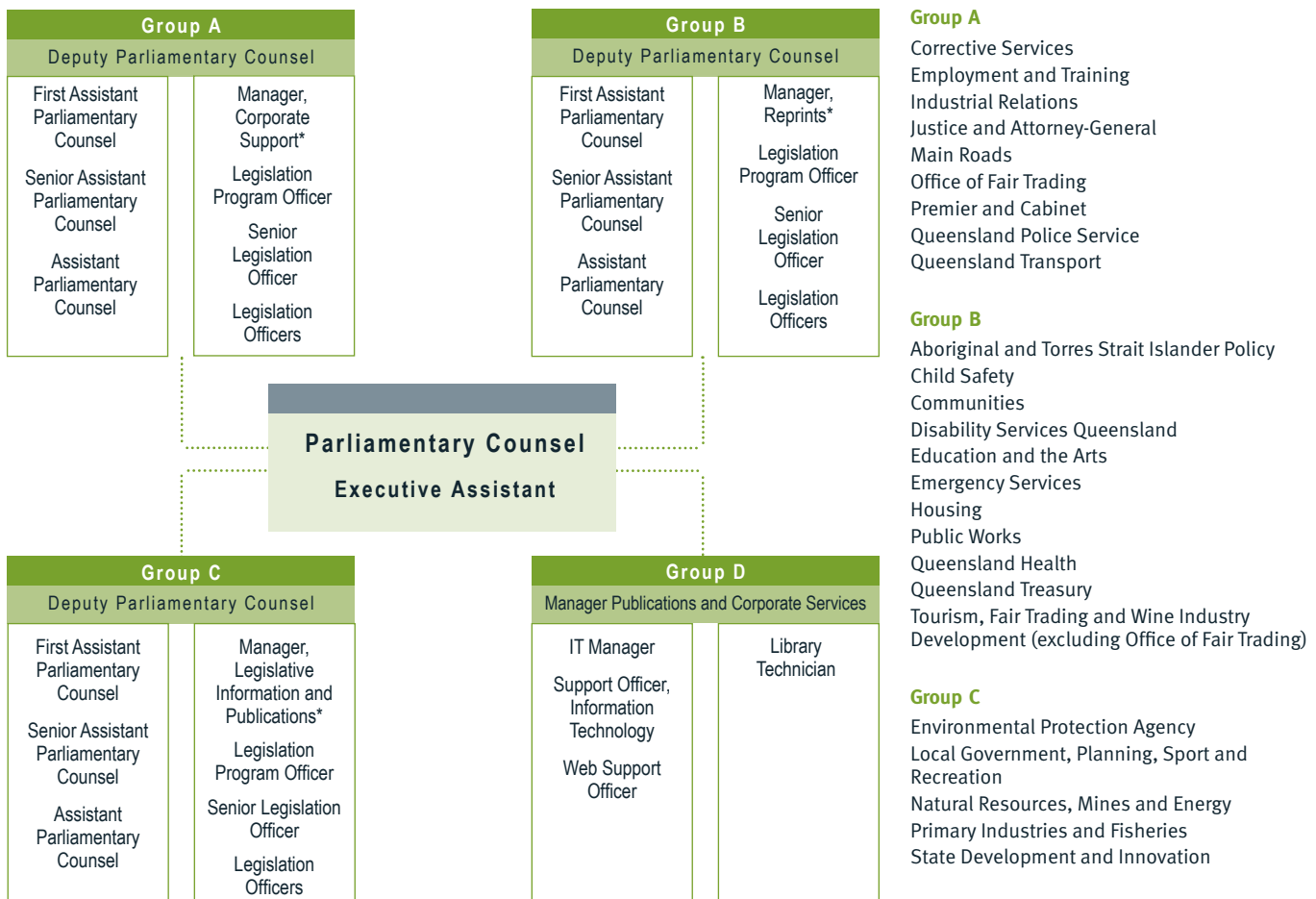
Contents

History and key roles	3
Functions	3
Our clients	4
Drafting and advisory clients	5
Publishing clients	5
Strategic direction	5
Supporting the government's priorities	6
Planning	6
Our values	7
Reporting and evaluation	7

Our clients

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

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



*In addition to team drafting and reprint responsibilities, each group has a whole-of-office function:

- Group A: corporate support;
- Group B: reprints management;
- Group C: legislative information and publications.

The Managers of Groups A, B and C legislation officer teams report to the Manager Publications and Corporate Services in relation to these functions.

Drafting and advisory clients

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

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

Publishing clients

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

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

- ▶ producing the versions of Bills required for passage through the Legislative Assembly and assent
- ▶ preparing copies of subordinate legislation for certification by the office and providing the certified copies for making by a Minister, board, agency or the Governor in Council
- ▶ coordinating for departments the notification, publication and tabling processes for subordinate legislation, including publication and notification of subordinate legislation in extraordinary gazettes.

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

Strategic direction

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

The office works to goals in three key result areas.

- ▶ Legislative drafting services

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

- ▶ Legislative publishing and information services



Our mission:

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

Our vision:

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



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

- ▶ Organisational capability

Goal 1: to maximise the capacity of our skilled and diverse staff to contribute to the achievement of corporate and government goals

Goal 2: to continually improve the capacity of office systems and processes to contribute to the achievement of corporate and government goals within established frameworks

Supporting the government's priorities

During 2003–2004, through its output of legislative drafting, advisory and information services, the Office of the Queensland Parliamentary Counsel contributed to strategic governance and all of the government's priorities at that time:

1. More jobs for Queensland—skills and innovation—the Smart State

Legislation supports Queenslanders in gaining and maintaining employment through providing a legal infrastructure that supports investment and development, and encouraging an environment that allows business to grow and diversify.

2. Safer and more supportive communities

Legislation improves personal and public safety by providing a framework of rules and the power to enforce the rules.

3. Community engagement and a better quality of life

Legislation and access to legislation support the democratic processes that underpin our way of life.

4. Valuing the environment

The enforceable protection of the environment is largely based on legislation.

5. Building Queensland's regions

Legislation supports State-wide development by providing appropriate powers for the government to support regional development.

Planning

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

Strategic plan

- ▶ sets overall strategic direction
- ▶ outlines goals and strategies for achieving these goals and ways of measuring them

Business plan

- ▶ details the operational projects that help the office to meet its performance targets
- ▶ spans one year and is reviewed annually

Personal plans

- ▶ are prepared by each member of staff
- ▶ show through projects and responsibilities how each person contributes to the office meeting its goals
- ▶ span one year and are renewed periodically

Our values

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

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

- ▶ teamwork
- ▶ the contribution of staff as individuals and team players
- ▶ a supportive and professional working environment in which staff gain job satisfaction, skills development, career development and a sense of achievement.

Reporting and evaluation

- ▶ The office's performance is measured in terms of quality, quantity and timeliness. These measures include regular feedback from drafting clients and the annual input of a client focus group.
- ▶ In accordance with the government's Managing for Outcomes (MFO) initiative, the office provides quarterly reports on its performance.
- ▶ The annual report provides a comprehensive overview of the office's performance on a yearly basis.
- ▶ The office is included in the program of audits and evaluations performed by Audit and Evaluation Services in the Department of the Premier and Cabinet.
- ▶ At the end of each financial year the office reports on business plan projects completed during the year.
- ▶ The performance of each staff member is monitored through the performance development system, which incorporates performance appraisal and development.

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

Delivering quality service

The office delivers quality service to clients through:

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



Our performance 2003 - 2004

Key Result Areas

Legislative Drafting Services

Legislative Publishing and Information Services

Goals

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

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

Key Issues and Challenges

- ▶ Meet the high level of demand for high-quality drafting and advisory services
- ▶ Continually improve the quality of legislative drafting
 - ▼ Ongoing training
 - ▼ Maintain quality assurance systems
 - ▼ Plain English drafting practices
 - ▼ Review and improve the style of legislation, that is, the way it is presented on the page
- ▶ Enhance the link between high-quality drafting and high-quality policy
 - ▼ Improve the quality, consistency and integration of laws across the statute book
 - ▼ Refine instructed policy into written law consistent with fundamental legislative principles
 - ▼ Provide relevant advice
- ▶ Ensure access to justice
 - ▼ Provide an appropriate system of rules to govern our society
 - ▼ Ensure legislation is conceptually easy to understand
 - ▼ Protect the institution of Parliament and the rights and liberties of individuals—the fundamental legislative principles

Key Issues and Challenges

- ▶ Meet community and international needs for access to legislation, particularly electronic access
 - ▼ Respond to the increasing demand for access to legislation and legislative information in electronic form
- ▶ Increase client awareness of available services and respond to client needs within existing resources
- ▶ Ensure access to justice
 - ▼ Provide access to the rules that govern our society

Strategies

- ▶ Deliver the government's legislative program
- ▶ Deliver a drafting product of the highest standard through:
 - ▼ Identification of client needs
 - ▼ Provision of professional advice on alternative ways of achieving policy objectives
 - ▼ Provision of professional advice on the application of fundamental legislative principles
 - ▼ Use of clear and simple drafting styles
 - ▼ Effective implementation of government policy
- ▶ Review, document and communicate issues that contribute to ensuring Queensland legislation is of the highest standard

Strategies

- ▶ Provide up-to-date legislation in printed and electronic form
 - ▶ Provide up-to-date information about Queensland legislation in printed and electronic form
 - ▶ Continually improve the office's web site including updating the site as frequently as possible (at least weekly)
 - ▶ Provide a telephone and email information service
- Enhance access to Queensland legislation by consulting with clients and generally distributing information about the office's services

Performance Measures

- ▶ Quantity (number of Bills and statutory instruments drafted)
 - ▼ Number of amendments in committee
 - ▼ Number of Bills provided
 - ▼ Number of pages of amendments in committee
 - ▼ Number of pages of Bills and statutory instruments provided
 - ▼ Number of pages prepared in camera-ready form for publication
 - ▼ Number of statutory instruments provided
- ▶ Quality—qualitative evaluation of client satisfaction of direct government drafting clients (target 85%)

Performance Measures

- ▶ Timeliness
 - ▼ Percentage of agreed deadlines met for electronic publications (target 75%)
 - ▼ Percentage of agreed deadlines met for printed publications—mandatory (100%)
 - ▼ Percentage of agreed deadlines met for printed publications—other (target 90%)
- ▶ Increase in the number of daily users of the office's web site
- ▶ Respond to feedback from clients about access to legislation (target 100%)

Our performance 2003 - 2004

Key Result Areas

Organisational Capability

Goals

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

Key Issues and Challenges

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

Strategies

- ▶ Maintain a coordinated training and development program as identified and reviewed through each staff member's personal development plan
- ▶ Involve staff in decision-making, planning and feedback through a system of office forums, committees and meetings
- ▶ Use best-practice human resource management techniques to encourage flexibility, equity and diversity
- ▶ Use information technology to enhance staff access to information

Performance Measures

- ▶ Performance evaluation through the personal planning and achievement process
- ▶ Full staffing levels maintained and appropriate training provided
- ▶ All staff to undertake diversity training

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

Key Issues and Challenges

- ▶ Implement a risk management strategy for the office
- ▶ Ensure office systems and work practices support the office's goals
- ▶ Continually improve information technology services to ensure the efficient production of legislation and access to legislation

Strategies

- ▶ Apply risk assessment processes to office business planning cycle
- ▶ Ongoing review of information technology and upgrades as necessary
- ▶ Implement appropriate corporate governance procedures
- ▶ Implement business system and technological upgrades to improve the efficiency and quality of drafting and publishing services

Performance Measures

- ▶ Risk assessment undertaken and treatment strategies developed as required
- ▶ High degree of compliance with relevant whole-of-government audit and legislative requirements
- ▶ All major office procedures and practices documented

Drafting services

2003 - 2004

Challenges

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

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

Continually improving the quality of legislative drafting

There is a constant challenge to continually improve the drafting of legislation. The office responds to this challenge through:

- ▶ ongoing training for staff to enable them to write effective and highly readable legislation that shows an appreciation of contemporary sophisticated policy, current law, and fundamental legislative principles
- ▶ rigorous quality assurance systems
- ▶ plain English drafting practices
- ▶ improvements to the presentation of legislation.

Enhancing the link between high-quality drafting and high-quality policy

The office takes every opportunity to value-add to the legislative process by improving the quality, consistency and integration of laws across the statute book. The office does this by:

- ▶ refining instructed policy into written law consistent with fundamental legislative principles
- ▶ providing relevant advice.

Ensuring access to justice

During 2003–2004 the office responded to the challenge of ensuring community access to justice by:

- ▶ providing Parliament with the drafting services necessary to ensure there is an appropriate system of rules to govern our society through its drafting and publishing services
- ▶ making sure legislation is conceptually easy to understand
- ▶ protecting the institution of Parliament and the rights and liberties of individuals by promoting compliance with the fundamental legislative principles.

Goal:

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

Contents

Challenges	11
Performance	12
Delivery of the legislative program	12
Delivery of a drafting product of the highest standard	20
Review, document and communicate issues contributing to ensuring Queensland legislation is of the highest standard	22
Future challenges	23

Performance

Delivery of the legislative program

Quantity of legislation delivered

During 2003–2004, the office drafted all of Queensland’s Bills and subordinate legislation, other than exempt subordinate legislation.

In some cases, the legislation drafted followed drafts for national scheme legislation prepared under the supervision of the Parliamentary Counsel’s Committee (PCC), the national committee of the parliamentary counsel from all jurisdictions. It coordinates the drafting of legislation that, to some extent, requires uniformity across jurisdictions.

During the year the office also drafted seven private members’ Bills that were introduced. Three non-government amendments for Bills were drafted by the office and tabled in the Legislative Assembly.

Queensland Acts assented to and subordinate legislation made, 1999–2004*

Year	Number of Acts produced	Number of Act pages produced	Principal Acts produced	Number of Acts amended	Number of SLs produced	Number of SL pages produced	Number of Acts and SLs produced	Number of Acts & SL pages produced
1999–2000	84	5 029	27	583	384	3 679	468	8 708
2000–2001	85	4 966	33	602	285	2 785	370	7 751
2001–2002	79	3 891	26	405	375	2 739	454	6 630
2002–2003	95	4 645	27	527	360	3 369	455	8 014
2003–2004	71	2 923	26	441	345	4 082	416	7 005

* Figures in the table are the Acts assented to and subordinate legislation made by the Governor or departments. The number of Acts and subordinate legislation drafted is higher as indicated on page 13.

Queensland Acts and subordinate legislation drafted 2003–2004

Year	Number of government Bills drafted	Number of government Bill pages produced	Principal Acts drafted	Number of pages of amendments in committee drafted	Number of SLs drafted	Number of SL pages drafted	Number of Acts and SLs Produced	Number of Acts & SL pages drafted
2003–2004	57	3 641	21	101	456	4 230	468	7 988

Low level of exempt instruments

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

During 2003–2004, the list of provisions that provide for exempt subordinate legislation continued to be short:

University statutes

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

Other

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



Significant legislation drafted

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

Aboriginal Cultural Heritage Act 2003

- Recognises Aboriginal ownership of certain human remains.

Aurukun Associates Agreement Repeal Act 2004

- Provides for the surrender of a mining lease granted under the agreement Act.

Biodiscovery Act 2004

- Deals with the taking of and using State native biological resources for biodiscovery.

Births, Deaths and Marriages Registration Regulation 2003

- Completes the review of the laws governing the registration of births, deaths and marriages.

Building Amendment Act 2003

- Improves the safety of young children around residential swimming pools.

Building and Construction Industry Payments Act 2004

- Entitles particular persons who carry out construction work, or who supply related goods or services, to a timely payment for the work, goods or services.

Child Care Regulation 2003

- Promotes the best interests of children receiving child care by regulating the way child-care services are conducted and setting standards for carers.

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

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

Child Safety Legislation Amendment Act 2004

- Implements the first stage of legislative reforms resulting from the Crime and Misconduct Commission's report, *Protecting Children: An Inquiry into Abuse of Children in Foster Care*.

Civil Liability Regulation 2003

- Provides an extensive list of ranges of injury scale values for particular injuries resulting from negligence.

***Commonwealth Powers (De Facto Relationships) Act 2003**

- Substantially uniform legislation that refers to the Commonwealth Parliament, under to section 51(xxxvii) of the Commonwealth Constitution, power over certain financial matters arising out of the breakdown of de facto relationships.

Coroners Regulation 2003

- Completes the review and reform of the coronial system.

Disaster Management Act 2003

- Encompasses a comprehensive approach to disaster management through disaster mitigation, prevention, preparedness, response and recovery.

Education and Other Legislation (Student Protection) Amendment Act 2003

- Enhances the capacity of the Board of Teacher Registration to screen, monitor and make decisions about the suitability of teachers to work with children.

Education (General Provisions) Amendment Act 2003

- Bolsters school security to promote safer learning environments.

Evidence (Protection of Children) Amendment Act 2003

- Improves the treatment of child witnesses by the criminal justice system.

First Home Owner Grant Amendment Act 2003

- Restricts the circumstances in which a first home owner grant may be paid to applicants who are under 18.

Fisheries Amendment Regulation (No. 1) 2004

- Amends the Fisheries Regulation 1995 to give better protection to resource stocks and the reef.

Fisheries Management Plans Amendment Management Plan (No. 1) 2004

- Amends the plans to give better protection to resource stocks and the reef.

Geothermal Exploration Act 2004

- Comprehensively provides for and facilitates exploration for geothermal energy.

Higher Education (General Provisions) Act 2003**Higher Education (General Provisions) Regulation 2004**

- Provide an updated and transparent approval process for higher education institutions.

Housing Act 2003**Housing Regulation 2003**

- Update legislation to improve access to safe, secure, appropriate and affordable housing and help build sustainable communities.

Industrial Relations (Tribunals) Amendment Rule (No. 2) 2003

- Extensively amends the Industrial Relations (Tribunals) Rules 2000.

***Legal Profession Act 2004**

- Substantially nationally uniform legislation that comprehensively regulates the legal profession.

Legal Profession (Barristers) Rule 2004**Legal Profession Regulation 2004****Legal Profession (Tribunal and Committee) Rule 2004**

- Support the legal profession reforms made under the *Legal Profession Act 2004*.

Magistrates Amendment Act 2003

- Facilitates a collegiate approach to the administration of the Magistrates Courts by establishing a Court Governance Advisory Committee and changing the procedures for determining the placement of magistrates throughout Queensland.

Manufactured Homes (Residential Parks) Act 2003**Manufactured Homes (Residential Parks) Regulation 2003**

- Regulate and promote fair trading practices in operating residential parks.

Marine Parks Amendment Act 2003

- Permits dredging for the proposed Bluewater development 15 km north of Cairns.

Parliament of Queensland Amendment Act 2004

- Clarifies the exemption in relation to land transactions from the statutory prohibition on MPs transacting business with the State.

Petroleum and Gas (Production and Safety) Bill 2004

- Comprehensively provides for exploration for recovering and transporting petroleum and fuel gas by pipeline, and ensuring the safe and efficient carrying out of those activities.

Plant Protection (Canker) Quarantine Notice 2004

- Quarantines an outbreak of an exotic citrus disease.

Police Powers and Responsibilities Amendment Regulation (No. 9) 2003

- Amends the Police Powers and Responsibilities Regulation 2000 to provide for forensic procedures, including indexes about missing persons, serious offenders, suspects and other matters based on results of DNA analysis.

Police Powers and Responsibilities (Australian Rugby Union Test—Wallabies V England) Regulation 2004

- Establishes matters, under the Police Powers and Responsibilities Regulation 2000, for the rugby test match between Australia and England.

Police Powers and Responsibilities (Rugby World Cup) Regulation 2003

- Establishes matters under the Police Powers and Responsibilities Regulation 2000 for the Rugby World Cup.

***Professional Standards Bill 2004**

- Substantially nationally uniform legislation that further facilitates the ongoing affordability of professional indemnity insurance through the introduction of a scheme that will promote and encourage improvement in occupational standards.

Public Health (Infection Control for Personal Appearance services) Act 2003**Public Health (Infection Control for Personal Appearance Services) Regulation 2003**

- Comprehensively provide for minimisation of the risk of infection resulting from the provision of hairdressing, beauty therapy and skin penetration services.

Police Service Administration (Alcohol and Drug Testing) Amendment Act 2003

- Provides for random alcohol breath testing and targeted urine drug testing for police officers and staff members working in critical areas. This is to ensure appropriate steps are taken in the interests of the health and welfare of officers and staff members in critical areas and to enhance the public's confidence in the police service and the integrity of the service.

Queensland Building Services Authority Regulation 2003

- Primarily provides the classes of licences required to carry out various types of building work.

Sugar Industry Reform Act 2004

- Comprehensively reforms the sugar industry.

Supreme Court (Legal Practitioner Admission) Rules 2004

- Supports the legal profession reforms made under the *Legal Profession Act 2004*.

Surveyors Act 2003

- The first major overhaul in 25 years of legislation covering the surveying profession.

Torres Strait Islander Cultural Heritage Act 2003

- Recognises Islander ownership of particular human remains.

Tourism Services Act 2003**Tourism Services (Code of Conduct for Inbound Tour Operators) Regulation 2003****Tourism Services Regulation 2003**

- Address concerns about the provision of tourism services by inbound tour operators and tourist guides.



****Training Reform Act 2003**

- Substantially nationally uniform legislation to establish a scheme for recognition and regulation of registered training organisations and for recognition of course accreditation.
- Complements the *Youth Participation in Education and Training Act 2003*

Transport and Other Legislation Amendment Act 2004

- Provides for the introduction of an integrated transport ticketing system in southeast Queensland.

Transport Operations (Marine Pollution) Amendment Regulation (No. 3) 2003

- Specifies requirements to be adopted to aid in the minimisation of any environmental and human health impacts from vessel sourced sewage in order to protect Queensland's marine and coastal environment.

Vegetation Management and Other Legislation Amendment Act 2004**Vegetation Management and Other Legislation Amendment Regulation (No. 1) 2004****Vegetation Management Amendment Regulation (No. 1) 2004**

- Phase out broadscale tree clearing in Queensland by 31 December 2006.

Water Resource (Condamine and Balonne) Plan 2004

- Establishes a water plan for the Condamine and Balonne catchment.

Water Resource (Georgina and Diamantina) Plan 2004

- Establishes a water plan for the Georgina and Diamantina catchment.

Weapons Legislation Amendment Regulation (No. 2) 2003

- Amends the Weapons Regulation 1996 and Weapons Categories Regulation 1996 to provide for greater gun control.

Youth Participation in Education and Training Act 2003

- Implements reforms announced in the white paper, *Education and Training Reforms for the Future*.

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

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

Quantity and effectiveness of support services delivered

During 2003–2004 the office continued to provide a number of support services to:

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

Performing functions in the Bill to Act process

During 2003–2004 the office continued to produce all the versions of Bills required for passage through the Legislative Assembly and for assent. Under the Clerk of Parliament's instructions, the office inserts into Bills amendments made in committee, consequential changes arising from the amendments, and other minor changes (commonly called 'slip errors').

Performing functions in the subordinate legislation process

During 2003–2004, the office continued to perform a central role in the subordinate legislation process:

- ▶ *Notification, publication and tabling.* The office coordinates the notification, publication and tabling processes for subordinate legislation and related regulatory impact statements and explanatory notes. This includes the publication and notification of subordinate legislation in extraordinary gazettes for client departments.
- ▶ *Certification.* The office certifies subordinate legislation if it is satisfied the subordinate legislation is lawful and has sufficient regard to fundamental legislative principles. During the year, the office considered every instrument of subordinate legislation drafted by it before certifying it or refusing to certify it. If the office refuses to certify proposed subordinate legislation, the instrument must, under *The Queensland Cabinet Handbook*, be submitted to Cabinet before it is made.
- ▶ *Staged expiry of subordinate legislation.* The office continued its role of monitoring and responding to the expiry of subordinate legislation under the *Statutory Instruments Act 1992*. Exemptions from expiry are strictly limited and an exemption is renewable only on two grounds: first, that the subordinate legislation is substantially uniform or complementary with legislation of the Commonwealth or another State; second, that the Act or provision under which or in relation to which the subordinate legislation is made is subject to review.

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

Delivery of a drafting product of the highest standard

During 2003–2004 the office continued its commitment to providing high-quality legislative drafting services and advice in a professional, impartial, and responsive way. During the year, the office regularly surveyed government departmental clients to get their opinions about the quality of its legislative drafting services.

The survey measured client satisfaction in four areas:

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

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

The drafting process

During 2003–2004 the office aimed to ensure high client satisfaction in relation to the processes it adopted in providing drafting services by:

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

This financial year the office achieved an average of 93% client satisfaction in its survey for this area.

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

Advice on alternative ways of achieving policy objectives

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

- ▶ the translation of policy proposals into workable legislative schemes

- ▶ the most appropriate instrument to be used
- ▶ the types of provisions that may be used
- ▶ the established or traditional government position in relation to particular provisions
- ▶ how the presentation of a law can make it user-friendly.

During 2003–2004 the office achieved an average of 91% client satisfaction in its survey for this area.

Advice on fundamental legislative principles (FLPs)

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

Advice provided by the office may include advice on:

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

During 2003–2004 the office achieved an average of 91% client satisfaction in its survey for this area.

The office is only one player in the legislative processes of government and its role is limited. It welcomes the support of the advisory role provided by the Scrutiny of Legislation Committee of the Parliament, and strives to keep instructors fully informed of the committee’s concerns. During the year the office continued to work with departments to encourage compliance with FLPs by developing provisions that achieve both policy objectives and compliance with the principles. This approach minimises the need for the Scrutiny of Legislation Committee to take action in its role of monitoring the quality of legislation.


The overall drafting product

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

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

During 2003–2004 the office achieved an average of 92% in its survey of client satisfaction for this area.

FLPs include the requirement that legislation has sufficient regard to the rights and liberties of individuals and the institution of Parliament.



What is plain English?

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



Drafting style

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

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

Quality assurance processes

The office uses several processes to ensure that legislation is of the highest possible standard. Drafters use a peer review process in which two drafters work on each piece of legislation—one drafts and the other reviews. Draft legislation receives a final check by a legislation officer who proofreads it, polishes the format, and prepares it for passage through Parliament, or, in the case of subordinate legislation, for its making.

Review, document and communicate issues contributing to ensuring Queensland legislation is of the highest standard

During 2003–2004 the office, to ensure Queensland's statute book is of the highest standard, continued to review its practices and precedents and to publish comprehensive information about legislative matters.

The Queensland Legislation Handbook

During 2003–2004 the office completed its review of *The Queensland Legislation Handbook*. The handbook is part of the Governing Queensland suite of handbooks and outlines relevant policies, recommendations, information and procedures for the realisation of policy in the form of Acts and subordinate legislation. It is particularly designed to help departmental policy and instructing officers to work effectively with the office in drafting legislation. The handbook also incorporates material about legislative processes, including parliamentary processes, mainly from the perspective of an instructing officer.

The handbook was revised to reflect developments and changes since its last publication in 2000, and generally to improve its information value to anyone interested in the preparation of legislation. The expanded material on fundamental legislative principles (Chapter 7) recognises the ongoing developments in this area arising out of the Scrutiny of Legislation Committee's *Alert Digests* and other reports.

The handbook is available:

- ▶ on the web site of the Department of the Premier and Cabinet at <www.premiers.qld.gov.au> in the About the Department section in HTML and PDF form
- ▶ on the office's web site <www.legislation.qld.gov.au> in PDF form
- ▶ for purchase from Goprint in hard-copy form.

Review of the style and presentation of Queensland legislation

During 2003–2004 the office completed its review of the style and presentation of Queensland legislation. The first Bills in the new style and presentation were introduced into the Legislative Assembly in June 2004. The object of the change is to improve access to legislation by improving its readability by taking into account the link between style and presentation and the ability of readers to grasp the content.

The changes are part of a cooperative move in the majority of Australian jurisdictions to make similar changes. This is therefore also a positive move towards a nationally uniform style and presentation of legislation, which again improves access to legislation.

Fundamental Legislative Principles: The OQPC Notebook

During 2003–2004 the office began to make available to policy officers, with each draft of legislation, its documentation of the operation of fundamental legislative principles in Queensland. This internal resource manual, entitled *Fundamental Legislative Principles: The OQPC Notebook*, was designed to help policy officers understand what fundamental legislative principles are and identify and resolve fundamental legislative principle issues. The notebook supports the work of the Scrutiny of Legislation Committee.

Exempt instrument guidelines

The parliamentary counsel is empowered under the *Legislative Standards Act 1992*, section 9, to issue guidelines for drafting practices that are to be observed by persons drafting exempt instruments (which include exempt subordinate legislation and local laws). During 2003–2004, the office continued to publish on its web site guidelines for drafting university exempt instruments and local government exempt instruments.

Future challenges

- ▶ Continuing the implementation of new styles and presentation for Queensland legislation and monitoring them for future review
- ▶ Continuing to improve and document drafting standards, precedents and procedures
- ▶ Updating the office's published documentation

*The Queensland
Legislation Handbook
plays a major role in
identifying the principles,
processes and practices on
which the achievement of
legislation of the highest
standard is based.*



Publishing services

2003 - 2004

Challenges

Meeting community and international needs for access to legislation

The vast majority of access to legislation is through electronic versions of legislation and legislative information. Electronic versions of legislation and legislative information are published free to the public on the office's web site or through commercial publishers using electronic versions of legislation provided by the office. The continuing challenge for the office is to achieve electronic versions of legislation and legislative information of equal integrity and security to hard-copy versions and to provide them in an up-to-date form. The office is responding to this challenge by:

- ▶ maintaining a database that allows point-in-time access to legislation
- ▶ continually improving accessibility to the office's web site, with its free and comprehensive display of legislation and legislative information
- ▶ monitoring advances in technology that will provide efficiencies for the office in its continued efforts to provide up-to-date access despite the ongoing accumulation of legislation and legislative information.

Increasing client awareness of available services and responding to client needs

During 2003–2004 the office, in keeping with its commitment of enhancing access to justice, continued to explore ways to increase client awareness of its services and information by:

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

Ensuring access to justice

The office's ability to respond to the challenges above helps ensure the community's access to justice, that is, the ability to physically locate the laws that govern our society and identify the body of law that applies at a particular point in time.

Goal:


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

Contents

Challenges	25
Performance	26
Providing legislation as made	26
Providing reprints of legislation	26
Providing the legislation database to other organisations	27
Providing information about legislation	28
Timely access	29
Client focus	30
Future challenges	32

Cost of access

All of these publications published in hard copy form are available for purchase or subscription from Goprint. Publications on the office's web site are published in electronic form free of charge.



Performance

Providing legislation as made

Bills through all stages of Parliament and assent

During 2003–2004 the office:

- ▶ provided Parliament with all Bills for all stages of passage through the Legislative Assembly and assent
- ▶ published, on its web site after introduction, all Bills and explanatory notes for Bills
- ▶ published, on its web site, all amendments made to Bills in committee and explanatory notes for amendments.

Acts as passed

During 2003–2004 the office published all Acts as passed as soon as they were assented to:

- ▶ in hard-copy form in the Acts as passed series
- ▶ on its web site.

Subordinate legislation as made

During 2003–2004 the office published all subordinate legislation as made as soon as it was notified:

- ▶ in hard-copy form in the subordinate legislation series
- ▶ on its web site.

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

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

Annual volumes

During 2003–2004, the office published the 2003 hard-copy annual volumes of:

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

Providing reprints of legislation

Queensland Legislation Reprints series (hard-copy reprints)

During 2003–2004 the office published 202 hard-copy reprints (18 908 pages) for inclusion in the *Queensland Legislation Reprints* series.

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

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

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

Published reprints of Queensland legislation 2003–2004

	Hard copy reprints	Electronic reprints
Quantity	202	922
Number of pages	18 908	124 232

Electronic reprints

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

During 2003–2004, the office prepared 922 electronic reprints (124 232 pages). Although electronic reprints are not yet recognised as 'authorised' under the *Reprints Act 1992*, they provide users with a convenient reference document.

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

Using the Reprints Act

During 2003–2004 the office continued to use the *Reprints Act 1992* to apply editing techniques to improve legislation. However, since the statute book was first translated to an electronic database the editing of legislation has significantly diminished. This is due to the consistent application of modern drafting techniques and the ongoing effect of computerisation.

Currently, Reprints Act powers are mainly applicable to hard-copy reprints. Electronic reprints may incorporate very minor consequential amendments made under the Reprints Act.

Providing the legislation database to other organisations

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



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

Providing information about legislation

Queensland Legislation Annotations

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

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

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

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

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

During 2003–2004 the office published two volumes of current annotations (2 295 pages) and one repealed volume (687 pages).

The office also continued to make the above publications available in electronic form free to the public on its web site <www.legislation.qld.gov.au>.

Weekly Update to Queensland Legislation

During 2003–2004, the office continued to publish the hard-copy *Weekly Update to Queensland Legislation*. This publication shows weekly changes in Queensland legislation and is designed to complement the information on the office's web site. The update meets the office's commitment to provide a hard-copy publication for clients who either do not have Internet access or prefer accessing information in hard-copy form.

During the year the office published 871 pages of weekly updates.



The publication is available on sale or subscription from Goprint. This publication is also published in electronic form free to the public on <www.legislation.qld.gov.au> in both separate and cumulative form.

Tables of changed laws and references

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

Legislation is frequently amended or replaced and, as a result, the names of things may be changed or existing things may be replaced by other things. During 2003–2004, the office regularly published on its web site two documents that provide a way to track these changes in legislation.

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

Timely access

Number of visitors per weekday for the office's web site

	2000	2001	2002	2003	2004
January	936	1 192	1 825	3 088	3 724
February	1 203	1 555	2 379	3 564	4 501
March	1 386	1 783	2 667	4 253	5 116
April	1 213	1 629	2 551	3 958	4 501
May	1 348	1 828	2 918	4 254	4 765
June	1 315	1 827	2 479	3 858	4 533
July	1 338	1 834	2 478	3 562	
August	1 447	2 027	2 882	3 509	
September	1 349	1 913	2 955	4 250	
October	1 492	2 040	3 114	4 031	
November	1 458	2 092	3 060	4 073	
December	1 032	1 526	2 520	3 263	

During 2003–2004 the office met 100% of mandatory deadlines and 100% of other deadlines for printed legislative publications. This performance measure counts the percentage of printed publications prepared in time to meet supply.

Mandatory deadlines met include the supply of subordinate legislation to Goprint for inclusion in the subordinate legislation series and the supply of notification tables for subordinate legislation to Goprint for gazettal.

During 2003–2004 the office met 100% of mandatory deadlines and 100% of other deadlines for printed legislative publications.





Other deadlines met included the supply of:

- ▶ Bills to Goprint for introduction and to the Table Office at Parliament House for the Bill to Act stages and assent
- ▶ certified copies of subordinate legislation ('whites' and 'blues'), explanatory notes and regulatory impact statements to drafting clients
- ▶ hard-copy reprints to Goprint.

During the year the office published 80.4% of electronic reprints within two weeks of the commencement of amendments to the reprints. The office target was 75%.

Ongoing access to electronic versions of legislation and legislative information

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

- ▶ Bills and their explanatory notes (from November 1992)
- ▶ amendments in committee and their explanatory notes (from 2002)
- ▶ Queensland Acts as passed (from June 1991)
- ▶ subordinate legislation as made (from July 1991) with associated regulatory impact statements and explanatory notes (from 1996)
- ▶ electronic reprints (including revised, superseded and repealed versions)
- ▶ an annotated history of current Queensland legislation
- ▶ information about repealed legislation
- ▶ updates to current and repealed legislation
- ▶ guidelines for drafting local laws and subordinate local laws
- ▶ guidelines for university statutes
- ▶ information about changed citations and remade laws
- ▶ information about changed names and titles in legislation
- ▶ information about the automatic expiry of subordinate legislation
- ▶ the office's reprinting policy.

Client focus

Client focus group

During 2003–2004 the office again met with its client focus group on publishing matters. Meetings of the group provide an effective way for the office to ensure it is meeting client needs and affording its clients the best possible service. The meetings also provide members of the group with an opportunity to make comments and suggestions about the office and its services.

The focus of this year's meeting was:

- ▶ the move to uniform styles for Queensland legislation
- ▶ how to deal with forms

- ▶ web site compliance with whole-of-government standards
- ▶ electronic access to the *Queensland Legislation Annotations*.

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

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

Awareness of the office and its role

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

During 2003–2004, the office presented:

- ▶ four information sessions about the office and how to prepare effective drafting instructions. The information sessions, for policy officers for various government departments and agencies, were presented for the Institute of Public Administration Australia
- ▶ a presentation to policy officers of the Department of Natural Resources, Mines and Energy about the preparation of drafting instructions
- ▶ several information sessions about the office and its role as part of the Department of the Premier and Cabinet's staff induction program.

In March 2004, the parliamentary counsel participated in an induction seminar for newly elected Members of the Legislative Assembly.

Youth Parliament

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

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

In 2003–2004 the Youth Parliament sat during late September. Parliament House was the venue for the sittings, with the consent of the Honourable Speaker of the Legislative Assembly.

During 2003–2004 the office provided support for the Youth Parliament by:

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

Youth Acts passed by the Youth Parliament in 2003–2004 included the:

- ▶ *Youth Access to Healthcare Youth Act 2003*
- ▶ *Drug Substances Regulation Youth Act 2003*
- ▶ *Efficient Water Management Youth Act 2003*
- ▶ *Local Government Reform Youth Act 2003*
- ▶ *Multipurpose Young Parents Centre Youth Act 2003*
- ▶ *Professional Teaching Training and Development Youth Act 2003*
- ▶ *Transport Reform Youth Act 2003.*

Feedback and information services

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

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

Email queries answered

Year	Email queries answered
1999–2000	816
2000–2001	1 032
2001–2002	920
2002–2003	678
2003–2004	654

Future challenges

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



Our Staff

2003 - 2004

Challenges

Ensuring the office employs best-practice human resource management to retain and develop highly-skilled staff

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

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

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

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

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

Promoting a workplace culture that encourages flexibility, equity and diversity

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

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

One of the ways in which the office is responding to this challenge is by implementing and continually improving training programs in order to maintain high levels of skill and to ensure new staff are trained as quickly and effectively as possible.

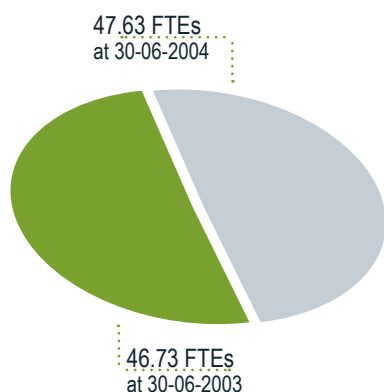
Goal:

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

Contents

Challenges	33
Performance	34
Investing in people	34
Flexibility, equity and diversity	34
Decision-making, planning and feedback	35
Performance evaluation, rewards and recognition	36
Training	37
Review, document and communicate issues contributing to maximising staff capacity	38
Future challenges	38

OQPC staffing levels



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



Performance

Investing in people

At 30 June 2004 the office had 47.63 members of staff, minus vacancies and including temporary and part-time staff. The office has a funded establishment of 48.83 making a total of 55 including a corporate services allocation of six staff at the Department of the Premier and Cabinet. The office tends to have a very stable staff structure with turnover usually occurring at the lower levels. Staff that do move on to other agencies are generally promoted to higher positions, perhaps indicating the high regard of the office's training and experience.

Flexibility, equity and diversity

During 2003–2004 the office continued to support workplace diversity in accordance with legislation including the *Equal Opportunity in Public Employment Act 1992*, *Anti-Discrimination Act 1991*, *Public Service Act 1996*, *Racial Discrimination Act 1975* (Cwlth), *Sex Discrimination Act 1984* (Cwlth), and the *Disability Discrimination Act 1992* (Cwlth). During the year, the office responded in the following ways:

- ▶ *Human resource management systems.* The office uses best-practice HR systems and practices to support the management of diversity.
- ▶ *Flexible working practices.* The office recognises the link between employees' ability to balance work and life priorities and the office's achievements. The availability of flexible working practices is beneficial for both parties: the office is able to retain highly-skilled staff and officers are able to better manage family responsibilities or other commitments. During the financial year six staff members continued to work on a part-time basis.
- ▶ *Organisational climate.* The office is aware of the importance of a happy and productive working environment. Information sharing and involvement in decision-making is promoted through office forums and meetings, a weekly electronic newsletter and the intranet. The review of the non-drafting positions in the office provided the office with the opportunity to incorporate more diversity into some roles.
- ▶ *Equal opportunity and anti-discrimination.* The office has adopted equal opportunity and anti-discrimination principles and provides regular training to ensure staff are fully aware of their responsibilities. Like all other government agencies, the office has zero tolerance of bullying and all staff attend regular seminars on this subject.
- ▶ *Career management.* The office encourages senior managers to undertake targeted leadership and management training, and actively supports training for all staff to enhance career prospects.
- ▶ *Queensland Government employment targets.* The office has a commitment to working towards the employment targets for groups identified as currently

under-represented in the public sector employment profile (Aboriginal and Torres Strait Islanders, women in management positions, employees with a disability, and non-English speaking background employees).

Women's classification levels

The *Department of the Premier and Cabinet's Diversity Plan 1999-2002* set targets for women of:

- ▶ AO6 and above positions: 30% for 2000 and 40% for 2005. The 2005 target has been revised upward to 50%.
- ▶ Senior officer (SO) and senior executive service (SES) positions: 25% for 2000 and 35% for 2005.

During 2003–2004 the office had 26% of women at SO/SES level and 46% of women in AO6 and above positions.

Classification and gender of staff above AO6 level as at June 2004

Classification	Males	Females	Total	% Female staff
CEO	1	0	1	—
SES	5	1.5	6.5	23%
SO2	5	2	7	28%
PO6–PO5	3	3.83	6.83	56%
PO4	0	3	3	100%
AO8–AO7	1	1.4	2.4	58%
AO6	1	2	3	66%
Totals	16	13.7	29.7	46%

Agency Consultative Committee

The office continued to participate in the Department of the Premier and Cabinet's Agency Consultative Committee (ACC) through the attendance of two staff members on the committee. ACCs were formed in all government agencies to manage the implementation of the State Government departments' certified agreements.

ACCs include a representative from management and a union representative from each area of the department.

Decision-making, planning and feedback

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

Staff contribution is encouraged in three ways:

- ▶ The office is organised into teams with line-management responsibilities.

- ▶ Staff participate through whole-of-office committees for areas including training, information technology, the office newsletter, publishing practices, drafting practices, workplace health and safety, and office management.
- ▶ Regular forums are held so that all staff have the opportunity to participate in decision-making, planning and feedback.

During 2003–2004 the office completed and implemented its review of non-drafting positions in the office.

Workplace health and safety

During 2003–2004 the office's Workplace Health and Safety Committee continued to monitor workplace health and safety and ensure the office complied with the standards. The committee, consisting of staff from the office and a representative from the Department of the Premier and Cabinet, met regularly throughout the year to deal with issues.

Performance evaluation, rewards and recognition

Performance evaluation

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

Rewards and recognition

This year the office submitted several nominations to the Department of the Premier and Cabinet's annual Achievement Awards. Office staff members received three awards for excellent achievement. Award categories included innovation, client service, promoting diversity, leadership and collaboration, knowledge sharing and strengthening regional and international relations.

*The award-winning
Child Safety Team*



Staff in the office received the following awards:

- ▶ In the knowledge sharing category, a team of staff from the office received the winner's award for *Fundamental Legislative Principles: The OQPC Notebook*.
- ▶ In the client service category, a team of staff from the office received the highly commended award for their work on the Legal Profession Bill 2004.
- ▶ A special award, the Director-General's Award, went to the Child Safety Team which included four staff members of the office.

Training

During 2003–2004, the office continued to provide internal and external training opportunities for staff. Most training is organised through the office's training team. The office training team includes representatives from all areas of the office as well as a human resources officer from the Department of the Premier and Cabinet. The training team uses staff personal development plans to identify training needs.

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

Training undertaken

Internal training

Anti-discrimination
Code of conduct
Dealing with client aggression
Organising yourself at work
Lawbook Company on-line searching
Leadership development training
Grievance and dispute resolution policy
Recordkeeping
Job application techniques
Word

External training

eBooks for libraries 2004
Excel
FrameMaker
How to get that job
10th public sector appeals conference
First aid
Certificate IV in assessment and workplace training
Parliamentary process
Management and leadership development program
Interview skills
Workplace health and safety
SARAS
National conference of editors
Writing skills
Supervisor skills for supervisors
Conflict resolution

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



Review, document and communicate issues contributing to maximising staff capacity

During 2003–2004 the office undertook a major change management process relating to the role and location of a large proportion of non-drafting positions within the office with a view to:

- ▶ rectifying staffing and experience shortfalls in the office’s corporate support functions
- ▶ optimising the recruitment and retention of legislation officers
- ▶ reviewing work processes and location of staff in the legislative information and publications function to ensure optimum work process alignment and knowledge and skill transfer.

A review team was established to research options, consult with staff on proposed courses of action and make recommendations on a future operating model for the non-drafting areas of the office.

Following a comprehensive process of analysis and consultation, a preferred realigned structure and operating arrangement was approved by the parliamentary counsel. In addition to team drafting and reprint responsibilities, legislation officer roles were expanded to include support for one of three allocated whole-of-office functions, each with a manager:

- ▶ corporate support
- ▶ reprints management
- ▶ legislative information and publications.

The realignment was budget neutral and no employees were displaced.

Future challenges

- ▶ Continuing to research and develop reward and recognition systems in line with other organisations
- ▶ Undertaking succession planning as part of HR planning processes
- ▶ Continuing to support diversity objectives by exploring opportunities for part-time work and encouraging groups (through possible traineeships or employment) in the government’s targeted diversity areas
- ▶ Continuing to participate in whole-of-government initiatives to ensure the office contributes and benefits

Office systems

2003 - 2004

Challenges

Implementing a risk management strategy for the office

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

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

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

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

Continually improving information technology services

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

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

Performance

Business planning

Risk management

During 2003–2004 the office conducted its comprehensive annual review of risk management of the office's work. Risk management involves the implementation of policies, standards, procedures and physical changes to eliminate or minimise adverse risks, allowing the organisation to operate at an acceptable level of risk. DPC's Audit and Evaluation Services and Information and Communication Technology areas assisted the office with the review resulting in the following achievements:

Goal:

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

Contents

Challenges	39
Performance	39
Business planning	39
Using business system to improve efficiency and quality	40
Required reporting	42
Future challenges	43

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

Using business systems to improve efficiency and quality

Computer systems

During 2003–2004 the office completed a review of how best to meet its current and future information technology needs, deciding to move from a Macintosh to a Windows environment.

Migration to new operating environment

The Macintosh operating environment was established in the office in 1992 on the basis that it supported a superior facility required for the drafting and publishing of legislation. Since that date all staff members have worked exclusively on a Macintosh platform.

However, over the last few years, a series of events resulted in the office reviewing whether it might be better to migrate to a Windows environment. These events included an upgrade of the Macintosh operating system and withdrawal of support for the previous operating system; problems with running the office's core drafting application, FrameMaker, in the new Macintosh operating system; and the larger number of developmental opportunities in the Windows environment to support the office's ongoing improvement projects.

The migration plan, developed during 2003–2004 and to be implemented on 3 September 2004, involved migrating the office's servers into the Department of the Premier and Cabinet's IT domain. Macintosh computers and monitors were replaced with IBMs and the Quickmail email program was replaced with Microsoft Outlook.

The migration to Windows and inclusion in the DPC's domain has many benefits for the office, including:

- ▶ increased compatibility with other Queensland Government departments and other offices of parliamentary counsel around Australia enabling easier communication and information sharing
- ▶ access to a larger group of IT skills and support structures (that is, help desk and training)
- ▶ economies of scale relating to per unit price cost savings achieved on technology purchases

- ▶ a higher level of security:
 - ▼ users are authenticated before a workstation can be activated and locked out if the workstation is unattended for a period of time
 - ▼ Internet activities are now accessed from the department's core infrastructure ensuring full content monitoring and filtering by an independent area with reporting facilities
 - ▼ the email program also accesses the department's infrastructure to ensure user authentication, auditing and virus protection
 - ▼ permissions and server policies have been implemented across the network to ensure security of information
- ▶ access to specialised Department of the Premier and Cabinet IT staff on issues such as network security and the safe transfer of confidential documents
- ▶ ongoing application support resulting in improved business outcomes.

Office web site

During 2003–2004, the office continued to make improvements to its web site, including:

- ▶ *Implementation of the latest CUE (consistent user experience) template.* The implementation of the CUE standard across all Queensland Government web sites enables visitors to these sites to find information and services more easily and to navigate from one site to another with familiarity. The new version of the office's web site will be deployed later in 2004.
- ▶ *Development work to convert the static HTML site into a Java and MySQL database driven site.* This conversion will enable easier updating and better storage of web site data.
- ▶ *Relational database.* A relational database has been developed as the backend data repository for the CUE-compliant site.

Involvement in whole-of-government IT initiatives

During 2003–2004 staff of the office participated in working groups on the consistent user experience (CUE) for government web sites, and the web steering committee.

Participation in annual IT forum

In August 2003 staff from the office attended the annual offices of parliamentary counsel's IT Forum at the South Australian Parliamentary Counsel's Office. The forum is one of the key ways that offices in Australia and New Zealand share information about information technology, industry trends, and other key office systems, thereby resulting in greater uniformity of systems and cost savings. IT staff and a senior drafter from the office attended the forum and presented information about the current status of the office's IT developments.



Library

During 2003–2004 the achievements made by the office’s library included:

- ▶ consolidation and review of resources in accordance with the library collection management policy
- ▶ participation in the whole-of-government review of strategic information management.

Required reporting

Community engagement

During 2003–2004, the office continued to support the government priority of community engagement and a better way of life through the provision of legislation and access to legislation. Legislation supports the democratic process that underpins our way of life, so access to legislation is an intrinsic part of engaging with the community. During the year, the office’s community engagement activities included:

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

Consultancies

During 2003–2004, the office engaged no consultants.

Multicultural activities

During 2003–2004 the office continued to support the government’s Multicultural Queensland Policy by supporting the recognition of multicultural issues in the drafting of legislation.

Overseas travel

During 2003–2004, no staff members of the office travelled overseas.

Public Sector Ethics Act

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

The office publishes its own code of conduct and makes this available in both printed and electronic form. The office published a revised version in July 2003. Copies of the office’s code of conduct are available on request.

Waste management

During 2003–2004 the office completed its waste management strategy in accordance with the Environmental Protection (Waste Management) Policy 2000. The strategy is available on the office’s intranet. Staff have been educated about the contents of the policy and the principles of environmental sustainability and its application to resource conservation and waste management in office operations.

Whistleblowers Protection Act

During 2003–2004 the office was not required to deal with any new disclosure of suspected official misconduct.

Future challenges

- ▶ Continuing to investigate further automation of legislative processes in the context of other overall IT changes
- ▶ Continuing the development of a relational database containing information tracking all legislative drafting and publishing activities
- ▶ Continuing to implement changes to the office’s web site in order to be compliant with CUE and accessibility guidelines



Index 2003 - 2004

A					
advice provided	20–1	information technology (IT)		<i>Queensland Legislation Handbook, The</i>	22–3
Agency Consultative Committee	35	integration with DPC	40–1	reprints	25, 26–7, 30
awards to staff	36–7	migration to Windows operating system	40–1	Q	
C		offices of parliamentary counsel		<i>Queensland Legislation Handbook, The</i>	22–3
client focus group	30–1	IT forum	41	R	
client satisfaction survey	20–1	risk management	39–40	reporting and evaluation	7
clients	5	<i>see also</i> web site		reprints	25, 26–7, 30
code of conduct	43	L		<i>Reprints Act 1992</i>	27
community engagement	42	legislation		review of non-drafting positions	38
consultancies	42	free access	30	review of style of legislation	23
D		national scheme legislation	12, 14–18	risk management	39–40
Department of the Premier and Cabinet		point-in-time database	27	roles	3
Achievement Awards	36–7	publication	26	S	
Agency Consultative Committee	35	quantity assented to or made	12	Scrutiny of Legislation Committee	21, 22
Audit and Evaluation Services	7, 39	quantity drafted	13	staff	
corporate services support to OQPC	34	reprints	25, 26–7, 30	awards	36–7
financial administration of OQPC	3	review of style	23	number of	34
information technology support to OQPC	40–1	significant	14–18	performance evaluation and development	36
DPC, <i>see</i> Department of the Premier and Cabinet		<i>see also</i> subordinate legislation		training	37
drafting		legislative information publications	28–9	women in management positions	35
client satisfaction	20–1	<i>Legislative Standards Act 1992</i>	3, 20, 21	strategic plan	6
plain English style	22	library	42	strategies	8–9
quality assurance processes	22	M		subordinate legislation	
<i>see also</i> legislation		Managing for Outcomes framework	7	certification	19
E		Minister	3	exempt subordinate legislation	13
electronic reprints	26, 27, 30	mission	6	expiry	19
exempt subordinate legislation	13	multicultural activities	42	notification, publication and tabling	19
F		N		<i>see also</i> legislation	
financial administration of OQPC	3	national scheme legislation	12, 14–18	T	
financial statements	47–51	O		training	37
functions	3	<i>OQPC Notebook, The</i>	23, 37	V	
fundamental legislative principles		organisational structure	4	values	7
advice provided	21	review of non-drafting positions	38	vision	6
<i>OQPC Notebook, The</i>	23, 37	overseas travel	43	W	
<i>Queensland Legislation Handbook, The</i>	22–3	P		waste management strategy	43
Scrutiny of Legislation Committee	21, 22	Parliamentary Counsel's Committee	12, 14–18	web site	
G		performance measures	8–9	consistent user experience implementation	41
goals,	5–6	plain English	22	improvements	41
government priorities	6	planning	6–7	number of visitors	29
H		Premier	3	publications available	23, 30
hard copy reprints	26–7	<i>Public Sector Ethics Act 1994</i>	43	Whistleblowers Protection Act	43
I		publications		women in management positions	35
information services	32	available on web site	23, 30	workplace diversity	34–35
information sessions	31	exempt instrument guidelines	23	workplace health and safety	36
		free access	30	Y	
		legislation	26	Youth Parliament	31–32
		legislative information	28–9		
		<i>OQPC Notebook, The</i>	23, 37		

Financial statements

30 June 2004

Contents

Statement of Financial Performance	47
Notes	48

Financial summary

Foreword

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

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

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

The statement discloses revenues and expenses recognised as part of the Statement of Financial Performance of the department and include allocations for corporate support and executive management services.

Further information is provided in the Department of the Premier and Cabinet's 2003-2004 Annual Report.

Statement of Financial Performance
For the year ended 30 June 2004

	Notes	2004	2003
		\$'000	\$'000
Revenues from ordinary activities			
Output revenue	2	7,030	6,914
User charges	3	75	71
Other	4	63	86
Total revenues from ordinary activities		7,168	7,071
Expenses from ordinary activities			
Employee expenses	5	4,884	4,947
Supplies and services	6	2,067	1,781
Depreciation and amortisation	7	200	321
Other		17	22
Total expenses from ordinary activities		7,168	7,071
Net surplus/(deficit)		-	-

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

Notes to and forming part of the Statement of Financial Performance For the year ended 30 June 2004

1. Statement of Significant Accounting Policies

The office's Statement of Financial Performance (the Statement) has been prepared in accordance with the *Financial Administration and Audit Act 1977*, the *Financial Management Standard 1997*, Australian Accounting Standards—in particular AAS 29 *Financial Reporting by Government Departments*, Statement of Accounting Concepts, Urgent Issues Group Abstracts, the *Treasurer's Financial Reporting Requirements for Queensland Government Agencies 2003-2004* and other authoritative requirements.

The statement has been prepared to reflect the 'Statement of Financial Performance by Outputs/Major Activities—Controlled' for the Office of the Queensland Parliamentary Counsel as contained in the Department of the Premier and Cabinet's Financial Statements.

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

A Statement of Financial Position by Outputs/Major Activities is not mandated by the *Treasurer's Financial Reporting Requirements for Queensland Government Agencies 2003-2004* and has not been prepared.

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

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

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

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

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

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

The Statement of Financial Performance for this office and the associated notes have not been audited.

**Notes to and forming part of the Statement of Financial Performance
For the year ended 30 June 2004**

	2004	2003
	\$'000	\$'000
2. Reconciliation to payments from Consolidated Fund		
Output revenue		
Budgeted output appropriation	7,092	7092
Plus/(less) transfers from/(to) other outputs	(62)	(178)
Output revenue recognised in the Statement of Financial Performance	7,030	6,914
3. User charges		
Publications	22	12
Other	53	59
	75	71
4. Other revenue		
Resources received below fair value	63	82
Gain on disposal of assets	-	1
Other	-	3
	63	86
5. Employee expenses/Number of Employees		
Salaries, wages and allowances	3,455	3,350
Salary related taxes	263	266
Superannuation	417	397
Long service leave levy	52	50
Other	697	884
	4,884	4,947
Annual and sick leave expenses have been included in wages and salaries.		
• Number of Employees	59	59

The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.

Notes to and forming part of the Statement of Financial Performance
For the year ended 30 June 2004

	2004	2003
	\$'000	\$'000

7. Supplies and services

Advertising and promotions	11	7
Telecommunications	45	47
Motor vehicle costs	119	130
Building services	60	55
Maintenance	19	27
Professional services	61	36
Travel	10	12
Books, legislation and statutes	64	90
Administration costs	87	81
Other	1,591	1,297
	2,067	1,781

8. Depreciation and amortisation expenses

Depreciation and amortisation expenses for the financial year were charged in respect of:

Property, plant and equipment	184	319
Intangibles	16	2
	200	321



Feedback survey

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

Fax: 07 3229 6295

From:

Fax:

Date:

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

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

• What did you like most about the report?
.....
.....
.....

• What did you like the least?
.....
.....
.....

• Is there anything else you would like to see included?
.....
.....
.....

• Where are you from?

Queensland Government

local or Commonwealth government

legal organisation

general community

other

Thank you