

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
OFFICE OF PARLIAMENTARY COUNSEL

**Question No. 199**

**Senator Ludwig asked the following question at the hearing on 24 May 2007:**

- a) Please provide a breakdown of drafting activity by portfolio.
- b) Please provide a breakdown of bills drafted that have been introduced to parliament and those that have not.
- c) What is the average time taken to draft a Bill?
- d) Is there much fluctuation in the OPC's workload?
  - i) Is there any data to reflect that (e.g. monthly)
  - ii) Could you give an indication of the comparative difference between a peak period of work and more regular levels of work?
- e) Could you provide a breakdown of full-time and part-time staff by:
  - i) Senior executives
  - ii) Senior drafters
  - iii) Assistant drafters
  - iv) Administrative support staff

**The answer to the honourable senator's question is as follows:**

- a) The following tables set out the number of Bills introduced and the number of pages introduced by portfolio for 2005, 2006 and to 5 June 2007.

The portfolios are based on the current portfolio arrangements. Where functions have moved between portfolios, Bills from earlier years would be recorded against the old portfolio.

Private members Bills drafted by OPC have also been included.

<b>Number of Bills introduced</b>			
<b>Portfolio</b>	<b>2005</b>	<b>2006</b>	<b>2007 (to 5 June)</b>
Agriculture, Fisheries and Forestry	9	6	9
Attorney-General	26	33	9
Communications, Information Technology and the Arts	14	12	4
Defence	6	3	1
Education, Science and Training	19	11	8
Employment and Workplace Relations	13	6	2
Environment and Water Resources	2	3	2

<b>Number of Bills introduced</b>			
<b>Portfolio</b>	<b>2005</b>	<b>2006</b>	<b>2007 (to 5 June)</b>
Families, Community Services and Indigenous Affairs	4	10	5
Finance and Administration	18	12	9
Foreign Affairs and Trade	1	5	1
Health and Ageing	16	16	8
Human Services	1		1
Immigration and Citizenship	5	5	5
Industry, Tourism and Resources	7	6	4
Prime Minister and Cabinet		2	
Transport and Regional Services	6	11	1
Treasury	22	29	20
Veterans' Affairs	1	3	1
Private Members	1	1	
<b>Total</b>	<b>171</b>	<b>174</b>	<b>90</b>

<b>Number of pages introduced</b>			
<b>Portfolio</b>	<b>2005</b>	<b>2006</b>	<b>2007 (to 5 June)</b>
Agriculture, Fisheries and Forestry	234	88	221
Attorney-General	812	1835	208
Communications, Information Technology and the Arts	424	353	279
Defence	180	117	7
Education, Science and Training	286	140	133
Employment and Workplace Relations	1121	150	89
Environment and Water Resources	18	489	40
Families, Community Services and Indigenous Affairs	93	848	331
Finance and Administration	916	667	662
Foreign Affairs and Trade	8	107	33
Health and Ageing	300	612	328
Human Services	112		71
Immigration and Citizenship	697	76	61
Industry, Tourism and Resources	766	150	105
Prime Minister and Cabinet		22	

<b>Number of pages introduced</b>			
<b>Portfolio</b>	<b>2005</b>	<b>2006</b>	<b>2007 (to 5 June)</b>
Transport and Regional Services	192	324	8
Treasury	655	1220	787
Veterans' Affairs	8	73	35
Private Members	14	33	
<b>Total</b>	<b>6836</b>	<b>7304</b>	<b>3398</b>

b) OPC does not consider a Bill to be finished, or drafted, until it is introduced into Parliament, on the basis that it is not possible for OPC to state, before introduction, that the Bill has been drafted to the satisfaction of its sponsors. While at any time there will be Bills on which OPC has worked that have not been introduced, it is usually very difficult for OPC to determine whether or not the Bill will be introduced at some time.

c) OPC does not maintain records of the average time to draft a Bill as it does not consider this to be a useful measure. Some Bills (such as small tax imposition Bills) may only take a day or two to draft whereas some Bills take 2 or more years. However, many Bills are drafted during the period beginning at the end of one sittings and ending at the end of the next sittings. This period is about 6 to 8 weeks.

d) The workload is fairly constant although there tends to be a peak just before the start of each sittings and towards the end of each sittings.

i) The fluctuations are reflected in the number of Bills that are introduced in the first two weeks of each sittings and the last two weeks of each sittings compared to the number of Bills introduced in other weeks.

ii) During the periods of more regular work, drafting staff would be working full days but with a limited amount of work outside normal working hours. During peak periods, some drafters would work substantial amounts outside normal working hours. In addition, during the peak periods the work would be more intense with shorter turn-around times for drafts.

e) i) Senior executives—OPC has three statutory office holders and an SES Band 1 general manager. All are full-time.

ii) Senior drafters—in addition to the three statutory office holders (who are also senior drafters), OPC has 11 senior drafters all of whom are full-time.

iii) Assistant drafters—OPC has 18 assistant drafters 11 of whom are full-time, 3 part-time and 4 are on extended leave.

iv) Administrative support staff—in addition to the general manager, OPC has 16 administrative support staff 12 of whom are full time, 3 part-time and one is on extended leave.