



# CABINET HANDBOOK

The Cabinet Handbook is designed to assist officers to understand the Cabinet process and prepare papers for submission to Cabinet.

It is important that high standards are maintained. Submissions that do not comply with the required standards outlined in the Handbook will not be accepted.

Enquiries regarding the Cabinet process or specific submissions should be directed to:

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# 1. [CABINET](#)

## 1.1 Organisation and functions

Ministers are appointed by the Governor to administer particular areas of responsibility in the Government. The Cabinet of Western Australia consists of the Premier and all the Ministers meeting together under the chairmanship of the Premier. Also in attendance are the Parliamentary Secretary of the Cabinet and a Note Taker, who records the minutes of the formal Cabinet meetings, including a record of attendance, Cabinet decisions and any declarations of interest made by Ministers.

Cabinet is an informal association of Ministers and its decisions have no legal force except to the extent that those decisions are put into effect by the individual Ministers concerned. However, there are established conventions which give substance to the institution of Cabinet and which relate to its formal operation.

Convention requires that Cabinet members be Members of Parliament, Ministers and Members of the Executive Council. Convention also establishes that Cabinet is collectively responsible for the conduct and operations of the Government and that all Ministers must give their support in public debate to decisions determined by Cabinet.

The confidentiality of Cabinet documents, discussions and decisions is a long established principle and has been regarded as essential for the maintenance of Cabinet collective responsibility and frankness between Ministers and officials. However, this principle needs to be tempered by the requirement for prior advice and consultation, and the need to disseminate Cabinet decisions and background information to ensure effective implementation. To fulfil these aims, the guidelines in this handbook have been established.

As it has no executive power, Cabinet operates essentially as a deliberative body to determine legislative and executive policy of the Government. Cabinet approval is required for all legislative proposals before Bills can be drafted and printed. Cabinet also decides questions of policy or administrative importance and determines how the Government will deal with issues.

## 1.2 Cabinet meetings

Generally, Cabinet meets each Monday, except on public holidays, when the meeting is held on the Tuesday. Special meetings may be called if necessary. Cabinet commences at 9.30 am. There is time at each meeting to discuss matters Ministers wish to raise informally.

Regional Cabinet meetings are held throughout the year, and generally focus on issues relevant to that region.

There is usually a three-week break at Christmas, with the last Cabinet meeting for the year held on the last Monday before Christmas in December and the first meeting for the new year held on the third Monday in January.

### **1.3 Ministers' attendance at Cabinet**

All Ministers are required to attend every Cabinet meeting unless, for reasons previously conveyed to the Premier, they have been formally excused from attending a particular meeting.

If a Minister is unable to attend Cabinet a letter seeking leave from Cabinet should be sent to the Premier, via Executive Government Services, for approval. The letter should state the time of leave and reason for the request to be approved. If a Minister will be absent from Cabinet they may request that their submissions be considered at a later meeting, when they will be present.

### **1.4 Ministers declaring an interest**

Under the Ministerial Code of Conduct, Ministers are required to provide the Premier with a copy of each return that they lodge under the *Members of Parliament (Financial Interests) Act 1992* as well as details of all pecuniary or other interests held under a private company or other entity or arrangement that operates a family farm, family business or family investment or trust. Ministers are also required to disclose all pecuniary and other interests of his/her spouse and dependent family to the Director General who records and retains this information.

In the event of real or perceived conflicts of interest for a Minister in relation to a matter before Cabinet, arising out of the disclosed information, the Minister is to draw that conflict of interest to the attention of the Premier in Cabinet. The Premier may require that the Minister absent him/herself from Cabinet discussions about the issue on the basis of the disclosed interest and the Note Taker shall record in the Cabinet minutes that the Minister declared his/her or family pecuniary interest, conflict of interest, or potential conflict and withdrew from the Cabinet room.

### **1.5 Matters that should be referred to Cabinet**

Ministers have considerable scope to make decisions within their portfolios. In many instances, however, matters require discussion and consultation with other Ministers, departments/agencies and/or non-government organisations. It is important that proper and adequate consultation precedes the submission of a proposal to Cabinet.

Prior to bringing an item to Cabinet, Ministers should examine the issue in terms of the criteria below and decide whether consultation with interested colleagues could resolve the issue without reference to Cabinet. The volume of Cabinet business needs to be monitored and contained because of the demands on Ministers' time. This consideration needs to be balanced, however, against the need to refer to Cabinet major issues of policy and other matters requiring collective consideration.

The following issues usually require Cabinet approval:

- Politically sensitive and policy issues with significant financial implications, particularly new policy themes and variations to existing policies.
- Matters with a significant impact on employment in the public or private sector.
- Matters which cross the boundaries of Ministerial responsibilities but which cannot be resolved outside Cabinet. (Joint submissions should be considered).
- Authority to draft legislation and final approval for the printing of Bills.
- Action in respect of Parliamentary Committees or Cabinet Committees.
- Matters likely to have a considerable impact on relations with Commonwealth, Local or other State Governments, the union movement, employer groups, significant lobby groups, the lay Party and the general community.
- Creation and abolition of Government boards and committees.
- Appointments and reappointments to Government boards and committees and the appointment of statutory office bearers, judicial and quasi-judicial office bearers, and 'senior officers' in the Public Sector or their equivalent in statutory authorities. Some appointments that do not require Cabinet approval should be submitted to Cabinet for noting (e.g. appointments to non-statutory bodies created by Cabinet, a Minister or agency and reporting to the Minister).

Ministers may also submit items that do not require a Cabinet decision, but are to advise or inform other Ministers of issues ('Items for discussion').

Where there is uncertainty about whether a proposal should be submitted to Cabinet, a Minister may wish to discuss the issue with the Premier.

## 1.6 Submissions to Cabinet

Matters for Cabinet consideration are normally brought forward as Cabinet submissions. A Cabinet submission comprises the following documents assembled in the following order, working from the top down:

- Summary Sheet (Appendix A or E of the Cabinet Handbook)
- Minute Paper (Appendix B or F of the Cabinet Handbook)
- Consultation Summary (*not required for appointments*) (Appendix C of the Cabinet Handbook)
- Attachments to be numbered (reports, maps, CVs etc.)
- Drafting Instructions (for submission seeking approval to draft legislation)
- Final draft copy of the Bill (for submission seeking approval to print legislation)

Details on how to prepare these documents are in sections 10 to 14.

Ministers may wish to raise matters in Cabinet without lodging a formal submission ('Items for Discussion'). This is for matters to be noted or discussed informally and for dealing with issues sufficiently straightforward not to require prior consultation.

Ministers seeking approval to list an 'Item for Discussion' on the agenda should notify Cabinet Services before 12 noon on the Thursday prior to the Cabinet meeting and provide sufficient information on the issue to form a basis for Cabinet discussion.

## **1.7 Cabinet submissions with financial implications**

Proposals with financial implications should only be considered during the annual budget process. The only exception should be when issues of critical importance arise, and it has been demonstrated to the Treasurer's satisfaction that such matters cannot be funded from existing allocations.

Ministers have the option of submitting submissions with financial implications either directly to Cabinet or the Expenditure Review Committee (ERC) in the first instance.

The costing of all proposals considered by Cabinet or ERC must be evaluated by the Department of Treasury (Treasury) before they are submitted to Cabinet or ERC. Details of this consultation should be included in the consultation section of submission (refer to section 12.4(c)).

Executive Government Services will not normally accept submissions unless the financial implications of the proposal have been evaluated by Treasury. Please note that the Treasury evaluation of a proposal's financial implications does not indicate that Treasury supports the proposal.

For submissions with financial implications first considered by Cabinet, the Treasurer will advise Cabinet during its deliberations if he believes a submission should be subsequently referred to ERC.

The ERC is a Standing Committee of Cabinet. Its main functions are overseeing the annual budget process, ongoing monitoring of the approved budget estimates and examining other matters including major policy proposals with implications for State finances and the economy.

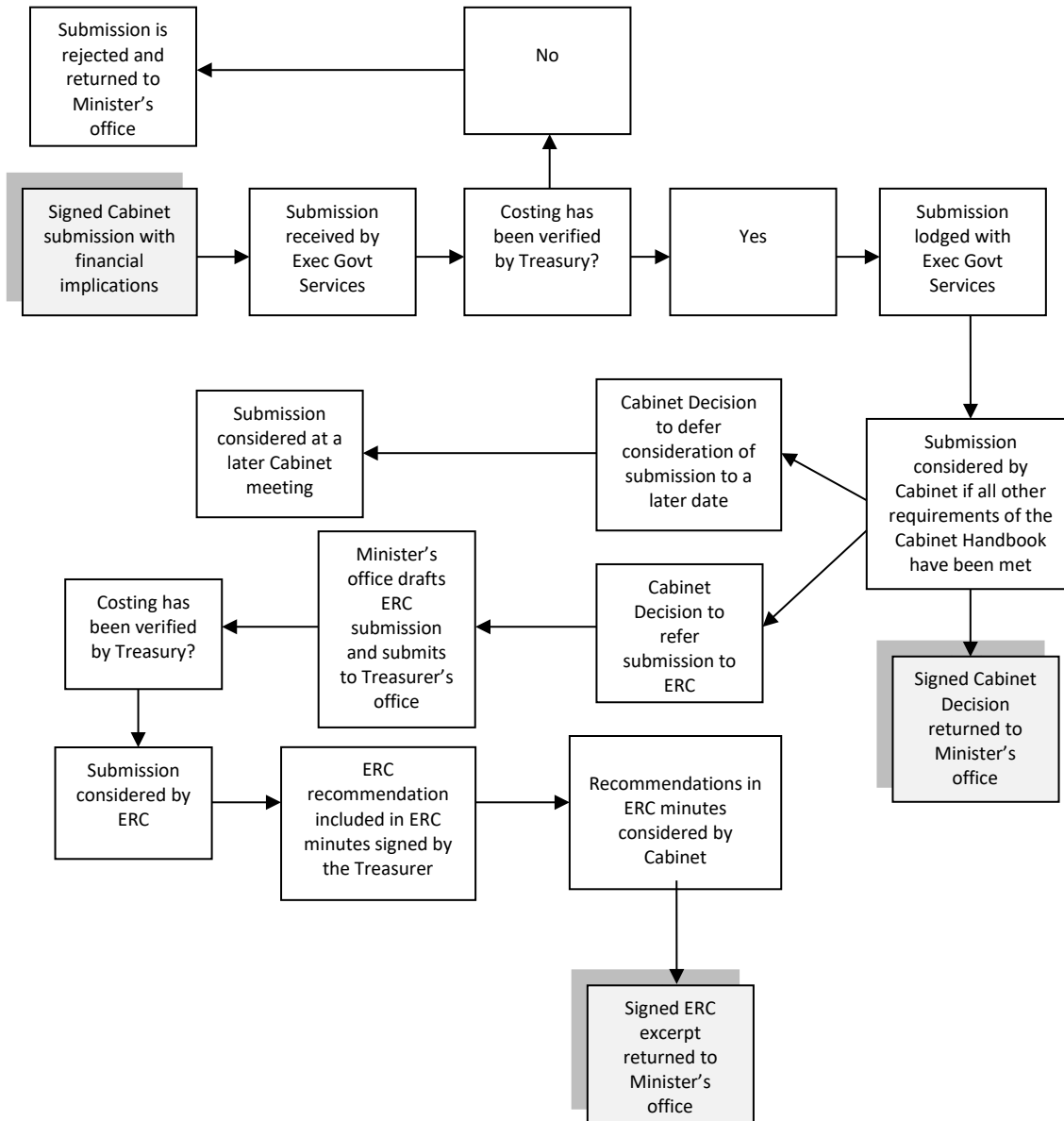
The deliberations of ERC meetings will be reported back to Cabinet by way of a Cabinet submission, under the signature of the Treasurer, requesting that Cabinet approves the recommendations contained within the minutes of the ERC meeting.

Ministerially endorsed ERC submissions need to be received by the Treasurer's office at least 15 working days prior to the meeting at which the matter is scheduled for consideration.

Some proposals have financial implications, but are not matters that Ministers need to bring to Cabinet (refer to section 1.5). In such cases a Cabinet submission should not be prepared. Instead, an ERC submission should be prepared and provided to ERC.

Requests for information about ERC or copies of the ERC Handbook should be made to Executive Government Services.

### Flow chart of the process for Cabinet submissions with financial implications





## 1.8 Cabinet submissions for regulatory proposals

Regulatory proposals brought to Cabinet are subject to the requirements of the Better Regulation Program. These include:

- applying the Better Regulation Principles;
- explaining the economic significance of any impacts associated with the proposal; and
- undertaking formal impact assessment for proposals that have economically significant impacts.

In the very rare case that an emergency response to an issue is required, an application can be made to the Treasurer for an exemption from the Better Regulation Program. If the Treasurer provides an exemption it will be conditional on the agency providing a Post Implementation Review to the Better Regulation Unit for assessment within three years of implementation.

### 1. *Regulatory proposals*

A regulatory proposal is a proposal that entails the introduction or amendment of primary, secondary or quasi legislation that is submitted to Cabinet, the Governor in Executive Council and/or gazetted.

Proposals that rely solely on non-regulatory means, such as budgetary or policy instruments, are not considered regulatory for the purpose of the Better Regulation Program.

### 2. *Better Regulation Principles*

The Better Regulation Principles provide broad guidance on the outcomes to be achieved through regulation and should be applied to all regulatory proposals submitted to Cabinet.

Consistent with the Principles, regulation should be designed to:

1. support policy objectives and deliver maximum net benefits to the community;
2. allow for risk based regulatory assessments and decision making focused on outcomes;
3. provide clarity and certainty for affected parties, recognising that different groups may be affected differently;
4. avoid duplication or conflict with other existing or proposed regulations; and
5. allow for well-considered, efficient and effective administration and enforcement arrangements.

Principles have also been developed to guide other regulatory activities, such as administration and management, and evaluation and review, which are usually best considered, even at a high level, during the design phase for regulatory proposals. The full suite of Better Regulation Principles is available in the agency guidance material published by the Better Regulation Unit.

The Cabinet submission template (Appendices A and B) provides for the agency to affirm that it has followed the relevant Better Regulation Principles.

### *3. Determining economic significance*

Agencies self-assess whether their regulatory proposal has, or is likely to have, economically significant impacts (direct and indirect) on a wide range of stakeholders, including government, business, and consumers.

The determination of economic significance can be guided by the framework developed and published by the Better Regulation Unit. Under this framework, regulatory proposals with economically significant impacts are typically complex, contentious, impose new or onerous requirements, and create clear groups of winners and losers.

If a regulatory proposal is not considered to have an economically significant impact, this should be briefly explained in the 'Regulatory Impact Assessment' section of the Cabinet submission template.

If a regulatory proposal is considered to have economically significant impacts, then a formal impact assessment must be undertaken and the outcomes summarised in the 'Regulatory Impact Assessment' section of the Cabinet submission template.

### *4. Formal impact assessment*

Where formal impact assessment is required, a two-stage process is usually followed.

Firstly, a draft Consultation Regulatory Impact Statement (CRIS) should be prepared and then provided to the Better Regulation Unit for review prior to being released for consultation. A CRIS can take the form of an Issues Paper or Discussion Paper or other similar consultative mechanisms that elicit feedback from stakeholders.

The CRIS should be made available to stakeholders and the public (as appropriate), in order to provide a basis for consultation. The purpose is to identify options, provide an early assessment of their impacts and seek comment from affected stakeholders.

Secondly, a Decision Regulatory Impact Statement (DRIS) is prepared which is informed by feedback from the consultation. It is used to provide the decision maker with a complete examination of the problem, including the outcome of consultation, and an assessment of the costs and benefits of each option.

The DRIS provides an evidence-based recommendation for regulatory change and includes an implementation and evaluation plan.

The DRIS must be included with any Cabinet submission to the Cabinet Secretariat. Both the CRIS and DRIS should be completed prior to seeking Approval to Draft (at the very latest).

The only exceptions to the formal impact assessment requirements are outlined below.

- A Treasurer's Exemption has been granted for a regulatory proposal with economically significant impacts.
- The regulatory proposal is subject to a process the Better Regulation Unit considers is consistent with the formal consultation and assessment requirements of the Better Regulation Program. For example, the proposals were examined in an Economic Regulation Authority or Productivity Commission inquiry which considered or discussed Western Australian impacts.
- The regulatory proposal involves the adoption of an Australian or international protocol, standard, code or Intergovernmental Agreement and an adequate assessment of the costs and benefits has already been made, and the assessment was made for, or is relevant to, Western Australia. For example, a reform initiated by the Council of Australian Governments.

Where the regulatory proposal relates to a formally announced election commitment and is considered to have economically significant impacts, impact assessment will only need to focus on implementation options rather than the policy rationale for the election commitment.

## **2. CONSULTATION**

### **2.1 Consultation while developing a proposal**

Consultation ensures that all relevant information and views relating to a proposal are provided for Cabinet to make informed decisions and that as far as possible differences are identified and resolved prior to Cabinet consideration. Effective consultation between the originating agency and other relevant or affected Government departments/agencies is essential to ensure that a whole of government approach is taken in the development of matters to be considered by Cabinet.

The consultation process should involve more than just the circulation of the draft Cabinet submission. It should be an integral part of the development of the proposal and begin prior to the preparation of the submission and continued through officer and ministerial levels. To facilitate the process, an officer from the originating department/agency should be designated to act as co-ordinator for consultation on the submission.

It is for departments to establish with Ministers the extent to which Ministers are to be involved in the consultation process and at what stage. Ministerial offices and departments/agencies are responsible for ensuring that procedures are in place that allows time for proper consultation, including input from Ministers, the resolution of differences and the timeframe for lodgement of Cabinet submissions.

At all times the principles of Cabinet confidentiality should be adhered to and consultation with non-government organisations or the public generally should not involve the unauthorised disclosure of previous or proposed deliberations by Cabinet, or the circulation of copies of Cabinet documents.

## **2.2 Ministers' responsibilities**

Ministers are responsible for ensuring that, prior to submitting a submission for Cabinet's consideration, consultation has been undertaken with:

- The Premier's Office.
- Other Ministers:
  - where more than one portfolio interest is involved;
  - where a submission covers a matter of joint responsibility, it should be presented jointly by the Ministers involved;
  - when a submission recommends action by Ministers who are not signatories; or
  - when it raises matters directly affecting another Minister's portfolio.
- The Better Regulation Unit where the proposal is regulatory in nature.
- Other agencies that may be affected by the proposal or involved in the implementation.
- The Department of Treasury on the costings of all proposals, whether implicit or explicit. Such consultation with Treasury is initially to be directed through the Under Treasurer, or Senior Treasury Officer. The details of this consultation are to be included in the consultation section of the Cabinet minute (refer to section 12.4(c)). Cabinet submissions will not be accepted for lodgment if this requirement is not met.
- Business, other stakeholders and the community in general, where appropriate, in compliance with the regulatory impact assessment requirements.
- The Public Sector Commission on proposals affecting the operations of the Western Australian public sector, including the efficiency and effectiveness of the sector.

- The State Solicitor's Office on matters that may have legal implications. The Office should also be consulted in the development of legislative proposals, preferably before finalisation of the drafting instructions.
- The Agency Support Division of the Public Sector Commission, on the fees and allowances payable to appointees to Boards and Committees.
- Non-government organisations (including employers, unions, industry, professional, community and special interest groups) where the proposal is likely to have significant impact on their operations.

Before Cabinet submissions are brought to Cabinet every effort should be made to resolve issues and differences identified in the consultation process.

### **2.3 Detailing consultation processes in Cabinet submissions**

Cabinet submissions must accurately reflect and record the results of consultation and must include a reference on the summary sheet (refer to section 11), and in the minute (refer to section 12.4(f)) and an attachment (Consultation Summary – Appendix C of the Cabinet Handbook).

Where issues remain unresolved, the differing views from departments, agencies or organisations that either do not support the proposal or support it with reservations, and the efforts that have been made to reach a resolution should be detailed in the minute. This includes comments made by the Department of Treasury regarding the financial implications of the proposal, and any comments from the Better Regulation Unit on consistency with the requirements of the Better Regulation Program.

Executive Government Services examines all submissions received and refers submissions to the Ministers whose portfolios appear to be affected by the proposal, Department of Treasury, Department of the Premier and Cabinet (DPC) and the Better Regulation Unit, Department of Treasury where matters are regulatory in nature. This ensures that the results of the consultation process as recorded in the submission are accurate and up-to-date and that all relevant information is available when Cabinet is considering the submission.

Executive Government Services has a strong quality assurance role, with the authority to monitor Cabinet documents and return submissions if it is considered that consultation has been inadequate.

### 3. CONFIDENTIALITY AND SECURITY

The confidentiality of Cabinet documents, discussions and decisions is a long established principle and has been regarded as essential for the maintenance of Cabinet collective responsibility. However, this principle needs to be tempered by the requirement for prior advice and consultation, and to disseminate Cabinet decisions and background information to ensure effective implementation. To fulfil these aims, the following guidelines have been adopted:

- Access to all Cabinet documents should be guided by the 'need to know' principle. Access should only be granted if it is required for an officer to perform his/her duties.
- Ministers have primary responsibility for maintaining satisfactory security systems for Cabinet documents in their areas of responsibility, including the extent to which others have access to them. Departments and Ministers' offices requiring information in relation to particular Cabinet submissions should obtain approval from the appropriate Minister's office, which may ask Executive Government Services to supply the information.
- All Cabinet documents are stamped 'Not to be copied' to reinforce confidentiality. The Minister's office should contact Executive Government Services to obtain additional copies if required.
- While all Cabinet documents are confidential, care should be taken with documents not yet submitted to Cabinet. The distribution of Cabinet submissions for comment (refer to section 9.2) should be on the understanding that the documents are not copied and are returned to the source. Additional copies of a submission may be obtained from Executive Government Services.
- The faxing and emailing of Cabinet documents is discouraged. However sometimes because of time constraints or distance, there is no alternative. When documents are faxed or emailed, the responsibility for security remains with the Minister's office to ensure that the designated recipient of the document is notified in advance, is aware of the confidentiality, and confirms destruction of the fax or email.
- Officers who receive copies of Cabinet documents, including decision sheets, or who are aware of information contained in such documents, must observe the confidentiality of that information. Cabinet documents and the information they contain must not be revealed except for purposes authorised by the relevant Minister and chief executive officer, in accordance with these guidelines.
- Agencies should ensure that any documents considered confidential by the Minister or CEO are not placed on an open file.

#### 4. **THE CABINET AGENDA**

A draft Cabinet agenda is compiled by Executive Government Services from the submissions which have been received from Ministers, and is submitted to the Premier's office for its consideration. Items appearing on the agenda should be received by Executive Government Services at least 10 days prior to the scheduled Cabinet meeting (the '10 working day rule'). The final Cabinet agenda is confirmed by the Premier's office prior to the Thursday before Cabinet.

##### 4.1 **Sections of the agenda**

**Cabinet Business**

**Strategic / High Priority**

**Election Commitments**

**Cabinet Sub-Committee Reports**

**Legislation and Parliamentary Business**

**General Policy Items**

**Board Appointments**

## **4.2 Deferred items**

These items have been submitted to Cabinet at a previous meeting, but deferred for further consideration. Items deferred from one meeting will automatically be placed on the agenda for the next meeting, or the meeting designated by Cabinet.

## **4.3 Withdrawal of Cabinet submissions**

A submission can be withdrawn by the Minister prior to being listed on the agenda. This can be done verbally to Executive Government Services but must be confirmed in writing.

Once an item is circulated with the agenda it can be only be withdrawn by Cabinet. This requires the Minister to request withdrawal of the submission during the Cabinet meeting.

The Premier is the only member of Cabinet who can withdraw another Minister's submission.

## **4.4 Replacement submissions**

A submission may need to be amended after it has been circulated with the agenda. In this case, a new submission should be submitted to Executive Government Services, with an explanatory memo addressed to the Director. The replacement submission will be listed on the agenda, with the notation 'replacement submission for item XXXX'. The original submission will still be listed so that it can be formally withdrawn by Cabinet.

## **4.5 Walk-ins**

'Walk-ins' describe submissions tabled by Ministers at the Cabinet meeting without prior notice. The Minister must still seek the Premier's approval to have the item considered. This should occur only in urgent cases where the need for immediate consideration is clear and unavoidable.

## **4.6 Change of portfolios/Cabinet changes**

Cabinet submissions affected by a change to the composition of Cabinet or a change in portfolios will be forwarded to the new Minister for countersigning, if s/he is happy for the matter to proceed. The typed decision related to these submissions will include the name of the original Minister as well as the name of the new Minister.



## **5. [RECORDING AND DISTRIBUTION OF CABINET DECISIONS](#)**

### **5.1 Preparation**

Cabinet decision sheets are prepared by Executive Government Services (see Appendix K of the Cabinet Handbook). The decision sheet includes the:

- title of the Cabinet submission
- date of submission
- Minister(s) sponsoring the submission
- decision
- date of decision
- recipients of copies of the submission

### **5.2 Signing of Cabinet decisions**

To effectively certify that it is a true and correct record of Cabinet's decision, each decision sheet is signed by the Premier, or the Minister who chaired the meeting. The decisions of Cabinet are not official until the decision sheet has been signed.

### **5.3 Copy and distribution of the Cabinet decision**

A copy of the original signed decision sheet and the submission that was considered by Cabinet is sent to the Minister who submitted the matter to Cabinet. The Minister's Office generally takes a working copy and forwards the copy to their agency. The original Cabinet documents are retained by Executive Government Services and form the official Cabinet record.

Executive Government Services endeavours to have the decisions distributed by hand under confidential cover on the next business day following the meeting.

### **5.4 Legislation (drafting) items**

Following Cabinet approval to draft, the Minister's office must advise the relevant Chief Executive Officer (CEO) of Cabinet's decision. The Legislation Standing Committee of Cabinet will automatically list the item for consideration at its next meeting and assign a drafting priority ([A Guide for Ministerial and Departmental Staff](#) provides further information in regard to this process and other related parliamentary procedures).

## **6. THE CABINET RECORD**

### **6.1 Cabinet records**

The Director General, DPC is the official custodian of the Cabinet Record. Executive Government Services is responsible for maintaining Cabinet records and retains the original hard copy of all Cabinet agendas, submissions, attachments to submissions, comment sheets and decisions. Executive Government Services also creates an electronic record of all Cabinet documents and maintains a database of all Cabinet submissions and decisions.

Cabinet records, listing Cabinet decisions, date back to 1903. From 1 July 1914 these records have been bound in leather and constitute the 'Cabinet Record Books'. Executive Government Services prepares the books on an ongoing basis and two copies are bound annually.

On a change of government, the Director General presents the leader of the outgoing government with a set of Record Books detailing the Cabinet decisions made by that government during its term of office. In the case of a coalition government, a copy is also presented to the leader of the coalition partner.

DPC retains a set of books as part of the official record, to be accessible by the department for ongoing administrative purposes only.

### **6.2 Access to Cabinet documents**

Cabinet records are classified as "confidential" and contain highly sensitive information. Access to Cabinet records is restricted 30 years and should be retained in access controlled storage areas with access recorded in a register. Cabinet submissions and decisions should be placed on restricted departmental files and available with CEO approval with access rights based on the "need to know" principle.

#### **(a) Current Government**

Copies of Cabinet submissions and decisions are distributed after each Cabinet meeting, as detailed in section 5.3. Requests for further copies of a Cabinet submission must be made through the originating Minister's office, except for Premier's submissions. Requests for copies of Premier's submissions are to be made to Executive Government Services, who will assist in obtaining permission from the Premier's office. Copies, if provided, will be supplied on 'not to be copied' paper. Executive Government Services maintains a record of recipients of all copies.

#### **(b) Previous Governments**

Under long standing convention it is understood that Cabinet documents are considered confidential to the government that created them. Where ongoing administration requires access to the Cabinet documents of a previous government, it is generally subject to the consent of the current leader of the party that created the records whilst in office.

Material covered by this convention includes all documentation submitted to and considered by Cabinet e.g. summary sheets, minutes, agency and Ministerial comments on proposals and decision sheets.

While this convention is long standing, it does not prevent access through FOI or legal compulsion e.g. subpoena issued by Courts of Law, Royal Commissions.

Requests for access to previous government Cabinet documents are to be directed in writing to the Director General, DPC. The request should outline the date and subject of the submission and why access is required. The Director General, DPC, will refer the request to the leader of the party that created the record.

Ministers and departments should not directly approach the leader of the party that created the record in office.

### **Protocols for Auditor General access**

The Auditor General will write to the Director General, DPC specifying the Cabinet records required and outlining the reasons for his/her request.

The Director General will write to the Minister responsible for the required records outlining the Auditor General's request and informing the Minister that s/he must obtain a Cabinet decision on whether Cabinet agrees to waive privilege and make the records available.

The Minister will prepare an item for Cabinet's consideration during 'informals', outlining the Auditor General's request and providing a recommendation on whether Cabinet should allow the Auditor General to view the documents.

The Director General will inform the Auditor General of Cabinet's decision and, where Cabinet has agreed to waive privilege and make the records available, provide contact details for a DPC officer to arrange Auditor General access to the documents.

The Auditor General and/or his/her staff may make notes from the documents, but may not take any copies.

The Auditor General will also direct any requests for access to Cabinet documents from previous governments in writing to the Director General, DPC. The request will outline the date and subject of the submission/s and decision/s and detail the reasons why access is required. The Director General will then refer the request to the leader of the party that created the record and advise the Auditor General of the leader's decision.

### **Freedom of Information Act**

All Cabinet documents falling within the ambit of a Freedom of Information (FOI) application, that are not over ten years old, are exempt matter in accordance with clause 1(1), schedule 1, to the *Freedom of Information Act 1992 (WA)* and must not be released.

Cabinet documents or copies of Cabinet documents that have been tabled in Cabinet (signed) can be transferred to DPC for processing. For more information, contact the Manager, Freedom of Information, DPC, on 6552 5591.

## **7. GOVERNMENT BOARDS AND COMMITTEES**

For the purposes of this document 'board(s)' is used to refer to boards and committees.

### **7.1 Establishment of board**

In circumstances where a board is being established by legislation, a Minister or an agency, the matter should be addressed in a submission to Cabinet detailing the function, purposes, aims, reporting mechanism and establishment and ongoing costs of the board. The appointments would be addressed in a separate submission using the Appointment Summary Sheet (Appendix E).

### **7.2 Change of name of board**

Where the structure, function or name of a board changes or requires change the matter should be submitted to Cabinet identifying any cost implications.

### **7.3 Termination of board**

A proposal to abolish a board should be submitted to Cabinet detailing the background, the achievements (if any), the reasons why the board is to be abolished, any savings envisaged and any likely negative impacts.

### **7.4 Appointments to boards**

Appointments and reappointments to boards which are established by statutes which specify that appointments are to be made by the Minister or the Governor in Executive Council must be brought to Cabinet.

While appointments to committees set up by the Minister or the CEO of an agency are not usually subject to the Cabinet process, where the purpose or function of the board may have a major impact on government policy or cross over Ministerial responsibilities, or when members are paid a sitting fee, the matter should be brought to Cabinet.

All board appointments are added to the Government Boards and Committees database and published on the department's website at <http://www.dpc.wa.gov.au/Consultation/Pages/GovernmentBoardsandCommittees.aspx> following Cabinet's decision or the Executive Council meeting (if applicable).

## 7.5 Boards and Committees Register

Executive Government Services maintains a database containing a Register of Government Boards and Committees. Information on the database includes:

- the title, purpose and establishment details of the Board
- the names, gender and appointment details of members

## 7.6 OnBoardWA Register

Executive Government Services maintains a register of persons interested in serving on Government boards and committees (the OnBoardWA Register).

Ministers, Members of Parliament and the general public can submit names for inclusion to the OnBoardWA Register. Interested persons can register their interest at [onboardwa.jobs.wa.gov.au](https://onboardwa.jobs.wa.gov.au).

Details recorded include name, gender, age, cultural background, qualifications, referees and areas of government activity in which a person is interested. This data can be cross-referenced by Executive Government Services with the existing data on boards to match suitable applicants with impending vacancies. Ministers are encouraged to nominate individuals from the Register where possible.

Nominations are valid for one year when an email will be generated offering the opportunity to reapply.

## 8. LODGEMENT OF SUBMISSIONS

### 8.1 Address

The original submission should be placed in an envelope and be addressed to Executive Government Services, Level 3 Dumas House, 2 Havelock Street, West Perth, marked “strictly confidential” and hand delivered.

### 8.2 10 working day rule

Cabinet submissions must be received by Executive Government Services before 10.00am on Monday to be listed for consideration at the Cabinet meeting on the second Monday following (10 working days later). This is known as the ‘10 working day rule’.

The rule is designed to allow sufficient time, prior to the Cabinet meeting, for consultation with Ministers whose portfolio responsibilities may be affected by the Cabinet item and to circulate all Cabinet submissions to Ministers. Departments generally need at least three working days to comment on a Cabinet submission.

If a Minister would like Cabinet to consider a submission that does not comply with the rule, a letter addressed to the Premier seeking late inclusion on the agenda must be sent to Executive Government Services. This is known as a '10 day waiver letter'. The letter must state the reason for non-compliance with the rule.

### **8.3 Listing on the agenda**

Submissions are not automatically listed on the Cabinet agenda and may be excluded for the following reasons:

- non-compliance with the 10 working day rule
- errors or omissions in the submission
- financial implications have not been evaluated by Treasury
- the Minister may not be attending the relevant meeting
- insufficient consultation has taken place
- non-compliance with the Better Regulation Program
- approval to draft does not have drafting instructions attached
- approval to print does not have a copy of the Bill attached
- appointment submission does not contain CV's of nominated persons

Submissions are generally exempt from the provisions of the 10 working day rule if they are deferred from the previous week's Cabinet meeting, or submitted by the Premier.

## **9. CIRCULATION AND REFERRAL OF CABINET SUBMISSIONS**

### **9.1 Circulation of Cabinet submissions to Ministers**

Cabinet submissions are circulated to Ministers in the following manner:

- Cabinet files, where possible, will be distributed on Wednesday of each week, 3 working days prior to the Cabinet meeting.
- 'Late items' are circulated on Friday each week, with a revised agenda and Cabinet comments.
- Submissions submitted for consideration by the Premier for waiver of the 10 working day rule but not approved prior to distribution of 'Late Items' on Friday are circulated at Cabinet on Monday, if a waiver is granted.

### **9.2 Referral of Cabinet submissions to Ministers' offices**

The referral system provides an avenue for the full range of advice on a submission to be made available to Cabinet before it makes its final decision.

Executive Government Services examines all submissions received and refers submissions to the Ministers whose portfolios appear to be affected by the proposal, Treasury and DPC.

The timeframe for the referral process accommodates the '10 working day rule'. Referral copies will be delivered to Ministerial offices by Tuesday (day 2) and the deadline for lodging comments is 10.00am on the following Monday (day 6).

A referral sheet (Appendix I) and copies of the Cabinet submission, stamped 'Referral copy' and 'Not to be copied', are forwarded to the relevant Ministers' offices for comment. These documents are placed in a sealed envelope or non-transparent, clasped folder and hand delivered to a person appointed by the Minister to receive Cabinet documents.

The Minister or delegated officer should examine the submission and refer it to the appropriate department/agency on a 'need to know' basis. The details of every person who has access to the document must be entered on the referral sheet's transmittal log.

The document (consisting of the referral sheet and the submission(s)) should be conveyed in a sealed envelope marked 'confidential' and 'CEO him/herself'. The CEO (or delegated officer) must complete the transmittal log and determine the appropriate person to provide a comment from his/her department.

### **9.3 Comment sheets**

A comment sheet (Appendix J) prepared for the Minister is checked by the CEO and forwarded to the Minister's office, together with the referral sheet and submission(s), in a sealed envelope.

Referral copies of submissions are not to be copied, placed on departmental files or retained by individual officers. A copy of the comment sheet is the only document to be retained by the agency/ministerial office.

Comments are to be prepared for signature by the Minister or delegated officer.

The signed comment sheet, together with all copies of the submission and the Referral Sheet, are to be hand delivered to Executive Government Services, in a sealed envelope marked 'Confidential'. Executive Government Services staff will destroy all referral copies of Cabinet submissions. Referral sheets will form part of the Cabinet record.

Late comments are to be emailed to Executive Government Services. The original comment sheet should be forwarded to Executive Government Services as soon as possible, to become part of the Cabinet Record.

Executive Government Services transmits an electronic copy of the comment sheet via a secure file sharing platform to the office of the originating Minister for the submission. Copies of all comment sheets are provided to the Premier's office.

## 9.4 Deadline for comments

If a submission is complex and there is insufficient time to provide a comment, the following options are available to Ministers/agencies:

- liaise with the office of the originating Minister to resolve or seek to defer the matter;
- request that Executive Government Services extends the deadline; or
- submit a comment sheet outlining the concern and requesting that Cabinet defer the matter until a more detailed examination can take place.

## 10. PRESENTATION AND ASSEMBLY OF DOCUMENTS

It is important that quality of presentation is maintained in Cabinet submissions and that all submissions are consistent with the following guidelines.

### 10.1 Paper

- Submissions must be single sided and printed on white A4 size paper.
- The minute must be accompanied by the relevant Summary sheet (Appendix A for general submissions; and Appendix E for Appointments).
- The layout of the Summary sheets must not be altered in any way. Templates are available from Executive Government Services.

### 10.2 Number of copies

Only the original copy of the Cabinet submission should be lodged with Executive Government Services. The document(s) should be clipped together, not stapled. See separate details on supplying attachments.

### 10.3 Assembly of documents

Submissions should be assembled in the following order, working from the top down:

- Summary sheet (e.g., Appendix A or E of the Cabinet Handbook)
- Minute (e.g., Appendix B or F of the Cabinet Handbook)
- Consultation Summary (e.g., Appendix C of the Cabinet Handbook)
- Attachments

These documents together comprise a Cabinet submission.

It is not necessary to send a covering memo with the submission, unless it is a late item (see Section 8) or provides additional information relating to the lodgment of the submission. Submissions should not be sent in plastic covers.



## **10.4 Print size, spacing and print colour**

Except in pre-printed attachments, print size should not be smaller than 10 or larger than 12 point and line spacing should be single on both the summary sheet and minute paper.

Colour must not be used in either the summary sheet or the minute. Any colour diagrams, graphs, pictures, etc. should be included as an attachment and referred to in the minute.

## **10.5 Margins and page numbering**

A 2cm margin should be allowed on the left hand side of each page. This is essential for the collation of papers.

The page number should be shown at the bottom right hand corner of the page and be indicated as page 1 of 4 etc. Pages of the minute should be numbered consecutively; the Cabinet Summary Sheet and Consultation Summary is not to be included in the page numbering. Attachments should be numbered separately.

## **10.6 Attachments**

Supporting papers (maps, attachments, tables etc) should be on A4 paper whenever possible.

The set of attachments accompanying the original submission should be single sided, unstapled and should not be imprinted with watermarks such as 'Confidential' or 'Draft'. This does not apply to any extra copies provided (for large, coloured or bound documents).

Thirty extra copies are to be submitted if the attachments:

- are in colour;
- are in bound form; or
- cannot be reproduced easily on a photocopier.

All attachments should be clearly identified by number at the top right hand corner of the first page of the attachment. Attachments should also be paginated.

The attachments must be identified in the body of the submission if they are to form part of the official record of Cabinet.

Curriculum Vitae(s) must be attached for all appointments including reappointments and appointment of CEOs and other senior appointments in the Public Sector. CVs should be no more than two pages long and contain the information in the CV pro forma (Appendix H of the Cabinet Handbook).

Submissions should not be folded or stapled.

## 11. SUMMARY SHEET PREPARATION

A template for the summary sheet is at Appendix A of the Cabinet Handbook.

All areas on the summary sheet must be completed and where not applicable 'N/A' should be inserted. The summary sheet is a summary of the contents of the minute and must not contain any additional information. It is to be limited to one page only so that all details are covered by the Minister's signature.

**Title of minute:** This is to be identical to the title on the minute.

**Minister responsible:** Complete with the Minister's full name, but only the portfolio area relevant to the submission.

**Purpose:** Provide a summary of the purpose of the proposal, or proposed legislation. This is to be identical to the purpose in the minute.

**Financial:** Appendix D of the Cabinet Handbook provides guidance on how to complete this section.

**Regulatory proposals:** Submissions provided to Executive Government Services should identify if the proposal is regulatory. If identified as regulatory, the Regulatory Impact Assessment section will need to be completed and verified by the agency head.

**Date of previous Cabinet decision(s):** This particularly applies when approval to print is being sought, to identify the date of the drafting approval. Note: the date of the previous decision is the date at the bottom of the Cabinet decision sheet.

**Relation to Government policy:** Indicate if the matter relates to a specific policy commitment of the Government.

**Urgency and supporting reasons:** Outline the urgency of the matter, particularly where legislation is involved.

**Who has been consulted/extent of agreement reached:** Identify who has been consulted and their degree of acceptance.

**Recommendation:** The recommendations in the minute and summary sheet should be numbered (i.e. not in point form) and be identical. If the recommendation is lengthy, the following wording can be used to limit the summary sheet to one page: *'Cabinet approves the recommendations as outlined in the minute'*.

## Implementation requirements:

Executive Council: If Executive Council (Ex-Co) approval is required following Cabinet approval, the Ex-Co papers must accompany the Cabinet submission, unless an alternate process is otherwise agreed upon by Executive Government Services.

Regulatory proposals requiring Ex-Co approval are also subject to the Better Regulation Program. Refer to the document [“Getting Government Legislation Drafted and Enacted”](#) available from the Department of Justice via the WA.gov.au website. This document is designed to explain the process by which legislation gets drafted and enacted and sets out the roles and responsibilities that PCO and officers of departments and organisations have in this process.

Legislation required: Cabinet approval must be obtained for all proposals involving new or amending legislation. A submission may seek approval to draft or print, but should not seek approval for both. When the proposal may result in subsequent legislation this is addressed in a separate submission at a later date. In these cases the ‘yes’ box should not be ticked but the strategy should be outlined in the minute.

Action required before announcement: If an announcement is to be made on a Cabinet decision, state who is to make the announcement.

Timing of announcement: State if specific interest groups (e.g. industry/unions) are to be advised before a public announcement. If the Cabinet decision requires Executive Council approval, an announcement should not be made until after the Executive Council meeting.

**Signature and date:** The responsible Minister is to sign and date the summary sheet. An unsigned or undated submission will not be processed. Copied signatures will not be accepted under any circumstances.

## 12. [MINUTE PAPER](#)

A template for the minute paper is at Appendix B of the Cabinet Handbook.

### 12.1 Address

The minute paper must be addressed in **bold UPPER-CASE** as follows:

**MINISTER FOR...**

**SUBMITS TO**

**PREMIER (IN CABINET)**

The Minister’s name is not to be used here. Do not use the title ‘Hon’.

## 12.2 Title of minute

The title of the minute paper must be clearly stated in **bold UPPER-CASE**. It must be identical to the title on the summary sheet (Appendix A of the Cabinet Handbook).

## 12.3 Length of minute

The minute should not exceed eight pages in length. If necessary attachments should be used to provide additional detail. These should be identified in the minute.

## 12.4 Content of minute

A standard format is applied to the structure of minute papers. All Cabinet minutes must include the following headings:

- (a) Purpose
- (b) Background
- (c) Costing/Financial Implications
- (d) Relation to Government Policy
- (e) Urgency
- (f) Consultation
- (g) Regulatory Impact Assessment
- (h) Regional Impact Statement
- (i) Media/Communications Strategy
- (j) Recommendation

Where these headings are not applicable, the heading must remain and 'not applicable' inserted, except for Costing/Financial Implications which must contain a completed and verified financial implications table.

The following must be addressed when preparing the minute paper:

### (a) Purpose

This states the purpose of the proposal. For submissions dealing with legislation, this section should detail the purpose of the legislation.

### (b) Background

The background should outline any previous Cabinet decisions, the rationale for the proposal and its development. Where the recommendation is to change or clarify an earlier decision, a copy of the previous submission and decision should be attached. Where relevant, comparisons and statistics from other jurisdictions should be provided under this section.

### (c) Costing/Financial Implications

This section needs to address, in detail, the information in the Cabinet Summary Sheet. Discussion must be provided on:

- the impact of the recommendations on the:
  - affected agency's approved expense limit;
  - general government sector's operating balance; and
  - total public sector's net debt;
- whether there is provision (and the extent of that provision) for this impact in the forward estimates; and
- how the recommendations are to be funded (if not already fully funded) i.e. via an increase in appropriation, a planned reduction in cash balances, an increase in retained revenues, from Royalties for Regions or a reprioritisation of already funded projects. Detail should be provided on any funding approved for the proposal to date.

In some cases, for example:

- the impact of a funding request will be the same as the impact on the general government sector's operating balance;
- there may be no impact on the operating balance but an increase in the implementing agency's expenses (e.g. where a proposal involving additional expenses is matched by revenue retained by the agency); or
- there is no net impact on either the operating balance or the implementing agency's expense limit (e.g. where the agency has identified offsetting reductions in expenses).

The following table must be completed summarising the additional financial and staffing impacts of the proposal. For proposals which have not, or have only partially, been funded in the budget or as part of the Mid-Year Review, only that impact which has not been funded (i.e. the additional impact) should be reflected in the table below -

<b>Additional Impact on Existing/Approved Forward Estimates</b>	[Current year] \$'000	[Forward estimate year 1] \$'000	[Forward estimate year 2] \$'000	[Forward estimate year 3] \$'000
Expense Limit				
Net Operating Balance				
Asset Investment Program				
Net Debt				
Full Time Equivalent staff				

Footnote: Above information verified by [name, title, agency]

Assistance with the financial information required in Cabinet submissions should be sought from (and verified by) agencies' Chief Finance Officers (or equivalent) and policy analysts in the Department of Treasury.

In addressing the costing/financial implications of Cabinet proposals, consideration should be given to the following:

- (i) The submission should be supported by evidence demonstrating that rigorous assessments of the proposal(s), and the priorities of existing programs and services, has been undertaken. This analysis should include an assessment of the implications of not proceeding with the proposal.
- (ii) Cabinet submissions should not contain requests for additional funding or extra staff until attempts have been made to meet requirements from within existing allocations. This needs to be demonstrated in the submission.
- (iii) Requests for additional resources to support new initiatives commencing in future years should be made as part of the annual budget process only (unless issues of critical importance arise, and when it has been demonstrated to the Treasurer's satisfaction that such matters cannot be funded from existing allocations).
- (iv) Details of the financial implications of the proposal should be consistent with the [Treasury guidelines: 'Costing and Pricing Government Services – Guidelines for Use by Agencies in the Western Australian Public Sector'](#).
- (v) The information on the financial/budget implications of a proposal should cover the current and four out-years (i.e. forward estimates period).
- (vi) The financial implications of Cabinet proposals must be evaluated by the Treasury prior to the submission being lodged for Cabinet consideration. If the submission includes an asset investment proposal, Treasury must be consulted as to whether the proposal complies with the Strategic Asset Management Framework (SAMF). Executive Government Services will not accept Cabinet submissions without this verification.
- (vii) The financial implications of the proposal must be verified by the implementing agencies' Chief Finance Officer (CFO) (or equivalent). Details of the CFO providing verification (i.e. name, title and agency) must be included as a footnote to the table on 'Additional Impact on Existing/Approved Forward Estimates'.
- (viii) The proposed impact of the proposals on performance indicators should be included, as well as a planned evaluation of the proposal, indicating how and when evaluation will be made of the initiative's effectiveness and efficiency (should it be accepted).

**(d) Relation to Government policy**

The submission should link the objective(s) of the proposed policy/initiative and the overall relevance to government policy, and refer to Ministerial statements, public comments by Premier/Minister or previous Cabinet decisions, if relevant.

**(e) Urgency**

State specific time frames or deadlines that must be met and why.

**(f) Consultation**

Consultation is the key to ensuring a submission progresses through Cabinet in a timely manner. By the time a submission comes to Cabinet it is essential to have agreement on factual matters and have any contentious or unresolved issues defined.

This section of the minute should include a summary and outcomes of the consultation process undertaken with the public sector, non-government stakeholders and the community. If agreement is not reached the differing views should be set out accurately and concisely, detailing:

- the department/agency/organisation(s) concerned;
- the issues/reservations raised;
- the efforts made to resolve the differences, including any alternative options considered; and
- potential criticisms or conflicts for the government.

Consultation on financial matters with the Treasury is essential. Treasury must evaluate the financial implications of proposals, and where relevant compliance with SAMF, before they are considered by Cabinet or ERC. Executive Government Services will not accept submissions without this consultation.

The consultation section of the Cabinet submission should reflect details of consultation with the Treasury, i.e. the name (and details, such as title and area) of the Treasury officer from whom evaluation was obtained and comments made by the Treasury in regard to the implications of the proposal.

Where regulatory proposals are concerned, refer to the [Better Regulation Program Agency Information Paper](#) for consultation requirements; evidence of appropriate consultation should also be provided. This is to ensure that stakeholders have an opportunity to contribute to the comment and analysis on the issue and its proposed resolution.

## (g) Regulatory Impact Assessment

In this section, agencies provide information on whether the Better Regulation Principles have been applied, the economic significance of any impacts associated with the proposal, and the results of any formal impact assessment undertaken.

For regulatory proposals with economically significant impacts, agencies should provide information about the level of assessment and consultation that has been undertaken with affected stakeholders. This is to be done by completing the following table.

<b>Justification for the preferred option</b>	<i>(briefly outline how this option is better than alternatives)</i>
<b>Estimated impact of the proposal</b>	<b>Impacted parties</b> <i>(briefly describe the main beneficiaries and those adversely impacted)</i>
	<b>Economic impact</b> <i>(identify estimated impacts; if not significant, provide justification)</i>
<b>Implementation and Review timeline</b>	<i>(briefly outline when the regulations will be implemented and reviewed)</i>

The table includes justification for the preferred option, information on the affected parties, the estimated impact of the proposal, and a proposed implementation and review framework (or timeline). Its purpose is to provide decision makers with an easily accessible summary of the likely impacts of new and amending regulation for significant matters only, which is often not covered elsewhere in the body of the Cabinet minute.

Where an agency assesses a regulatory proposal as not likely to result in impacts that are of economic significance, the agency should instead provide a short summary of the reasons for this assessment in the table provided.

The information provided by agencies on the application of the Better Regulation Principles, economic significance, and impact assessment outcomes needs to be affirmed and verified by the head of the implementing agency (e.g. Director General or Chief Executive Officer).



If an agency has been granted a Treasurer's Exemption from undertaking formal impact assessment, it should:

- confirm a Post Implementation Review will be completed within three years of implementation; and
- if small business impacts are anticipated, note whether the Small Business Development Corporation has been consulted.

Assistance with the regulatory impact assessment information required in Cabinet submissions can be sought from the Better Regulation Unit.

## **(h) Regional impact**

This section must be completed for any submission that has a regional impact. For example, policy proposals in the following areas may have a regional impact:

- Social infrastructure e.g. schools, hospitals and prisons
- Service infrastructure e.g. power, water, sewerage, drainage, rail, roads, ports, airports and telecommunications
- Pricing of services e.g. water, power, sewerage and drainage
- Natural resource management matters e.g. salinity and coastal planning
- Resource development projects and other major projects
- Federal/State matters e.g. defence, taxation, funding arrangements for social programs

The level of detail required must be sufficient to inform Cabinet of the extent of the impacts, but does not need to be extensive.

This section should:

- Describe the regional communities affected (geographically e.g. the Kimberley, Geraldton residents; demographically e.g. seniors, people on low incomes; and service related e.g. public housing clients).
- Identify issues that will affect regional communities as a result of the proposal and summarise short and long-term impacts, positive and negative.
- Outline the consultation that was undertaken in formulating the proposal including any implementation process.
- Outline how the proposal will manage negative regional impacts and/or maximise benefits to regional communities.

**(i) Media/communications strategy**

This section is to be completed for any proposal that requires media involvement. It should include:

- The possible timing of an announcement.
- The Minister responsible for the announcement.
- A brief proposal on how the Cabinet item would be best communicated.
- How the news is likely to be received and how a negative reaction will be managed.

**(j) Recommendation**

The recommendation must be clear and concise in stating what Cabinet is being asked to approve, note or support. Matters raised in the submission or attachments, not addressed specifically in the recommendation, will not be considered to be part of a Cabinet approval.

A recommendation may commence with ‘Cabinet approves’ or ‘Cabinet notes’ or ‘Cabinet supports’ or ‘Cabinet endorses’.

The recommendations should be numbered (i.e. not in dot point form).

The recommendation in the minute must be identical to that in the summary sheet. If the recommendation does not fit inside the space provided in the summary sheet, an alternate, accepted wording is as follows: “Cabinet approves the recommendations as outlined in the minute.”

**(k) Legislation**

*Drafting:* Unless there are exceptional circumstances, detailed drafting instructions should always accompany any Cabinet submission seeking approval to draft legislation.

Drafting instructions should not be finalised until appropriate consultations have been conducted with persons and bodies likely to be affected by the proposal (inside and outside Government). The Better Regulation Unit within the Department of Treasury should also be consulted.

The Cabinet submission should not include in the recommendation any reference to a suggested priority for the Bill (use the Urgency section to explain urgency) as priorities are allocated by the Legislation Standing Committee of Cabinet (LSCC) (refer to [A Guide for Ministerial and Departmental Staff](#)).

In addition, also refer to Parliamentary Counsel's Office (PCO) document titled – ["Getting Government Legislation Drafted and Enacted"](#) available from the Department of Justice via the WA.gov.au website. This document is designed to explain the process by which legislation gets drafted and enacted and sets out the roles and responsibilities that PCO and officers of departments and organisations have in this process.

### **Instructing Agency**

When Cabinet has approved the drafting of a Bill, the instructing agency should immediately forward to PCO all relevant drafting instructions and associated material, including the date of the Cabinet Decision. This contact with PCO should begin as soon as possible, regardless of whether the Legislation Standing Committee of Cabinet has allocated a drafting priority.

In many cases, in addition to the drafting instructions, these instructions to PCO can include -

- background material that will assist the drafter to understand the subject matter involved;
- copies of legislation from other places, or other WA legislation, that may assist in the drafting;
- legal opinions or decisions of courts that may assist the drafter.

The instructing agency must also nominate an instructing officer. The instructing officer will be a very senior officer of the department, who is totally conversant with the legislative proposal and its background and who is able to make or readily obtain decisions on policy.

### **Parliamentary Counsel's Office (PCO)**

The Parliamentary Counsel's Office (PCO) prepares Bills in the Government's legislative program in accordance with priorities fixed by the Government. Another important function is the preparation for the Government of -

- regulations, rules, by-laws and other instruments of a legislative nature; and
- various Executive Council minutes, proclamations, orders, commissions, warrants, appointments etc.

Parliamentary Counsel's Office is a division of the Department of Justice and can be contacted at:

**Parliamentary Counsel's Office**

David Malcolm Justice Centre  
28 Barrack Street  
PERTH WA 6000  
Phone: (08) 9264 1444  
Email: [pco@pco.wa.gov.au](mailto:pco@pco.wa.gov.au)

*Printing:* Printing approval is a separate process to drafting approval and it requires a separate submission to Cabinet. The date of the Cabinet decision giving approval to draft must be referred to in the summary sheet and in the minute. A copy of the Bill must accompany the submission. The draft number of the Bill is listed on the agenda.

*Introduction:* Approval to introduce the Bill to Parliament is not included in the recommendation, as this is determined by the Legislation Standing Committee of Cabinet and subject to consideration by the Party Room.

## 12.5 Signature and date

The responsible Minister is to sign and date the summary sheet. An unsigned or undated submission will not be processed. Copied signatures will not be accepted under any circumstances.

## 13. **APPOINTMENTS SUMMARY SHEET PREPARATION**

A template for the appointments summary sheet is at Appendix E of the Cabinet Handbook.

All sections must be completed and where not applicable 'N/A' is to be inserted.

**Title of board/committee:** State the full and correct title of the board.

**Minister responsible:** State the Minister's full name and the relevant portfolio.

**Proposed appointees:** The details must be identical to those in the minute.

- *Title:* Specify correct title e.g. Ms/Mrs/Mr/Dr
- *Name:* Full given name
- *Gender:* Male or female
- *Eligible for Remuneration (External):* This is determined by the person's occupation and if employed in the public or private sector ([Premier's Circular 2017/08](#))
- *Term of appointment:* The proposed timeframe of the nominee's term

**Relevant Act and sections of Act under which board members are appointed:** Identify where members are appointed under different sections.

**Composition of board:** Information provided will be included on the Boards and Committees Register.

**Executive Council:** Executive Council approval is specified in the relevant legislation. In such cases the Executive Council paper should accompany the Cabinet Submission (see [Executive Council Guidelines](#)). If Executive Council approval is required a public announcement should not be made until the Governor has approved the decision.

**OnBoardWA Register:** Advise if the Department of the Premier and Cabinet been consulted about suitable nominees from the Register.

**Establishment/Abolition/Appointing Members:** Identify whether the submission is simply appointing or reappointing members, or whether it is establishing or abolishing a Board.

**Fees and allowances:** These must be listed for the chairperson and members, either 'per year' or 'per meeting'. Allowances include travel and other approved costs. The level of remuneration should be checked with the Agency Support Division of the Public Sector Commission prior to submission [agency-support@psc.wa.gov.au](mailto:agency-support@psc.wa.gov.au).

**Tenure of board:** Most boards are ongoing. However, some are created for a specific time frame which needs to be indicated in this section. Cabinet approval to exceed the specified time frame is required in advance of the expiry.

**Frequency of meetings:** Failure to meet may require examination by the Minister to assess the ongoing viability of the board.

**Signature and date:** The responsible Minister is to sign and date the summary sheet. An unsigned or undated submission will not be processed. Copied signatures will not be accepted under any circumstances.

## 14. [MINUTE PAPER FOR APPOINTMENTS](#)

### 14.1 Address

The minute paper must be addressed in **bold UPPER CASE** as follows:

**MINISTER FOR...**

**SUBMITS TO**

**PREMIER (IN CABINET)**

The Minister's name is not to be used here, do not to use the title 'Hon.'

## 14.2 Title of minute

The title of the minute must be stated in **bold UPPER CASE**.

The title on the summary sheet is to be the full title of the board and this is to be the title on the minute. The words 'appointment to' or 'reappoint' should not be used.

The minute paper should be structured as outlined below.

## 14.3 Purpose

The opening paragraph should briefly state the:

- purpose of the board;
- creation and appointment authority of the board; and
- purpose of the minute, i.e. to appoint to or make reappointments or both.

## 14.4 Current membership

Under this section the current membership of the board is to be listed including any vacancies:

- title, and full given name/s (lowercase) the surname (in bold upper-case)
- position on board: Chairperson, Deputy Chairperson, Member, Deputy Member, etc; and
- the nominator e.g. industry representative, union representative, and the section of the Act under which the appointment is made.

## 14.5 Changes to board

This section details who is being appointed to and who is being replaced on the board and the proposed term of appointment e.g. 1 year (from date to date). If a member resigns before the expiry of his/her term the replacement can only be appointed for the remainder of the original term.

An explanation will be required for any positions that remain vacant with an indication as to when each position is expected to be filled. For those being reappointed, the number of years they have already served must be shown.

## 14.6 Fees and allowances

Payment of fees for all positions on the board must be detailed under this section. The payment of fees varies from board to board. List those entitled to receive or receiving a sitting fee and any allowances paid. Any queries on the payment of fees should be directed to the the Public Sector Commission: [agency-support@psc.wa.gov.au](mailto:agency-support@psc.wa.gov.au).

## 14.7 Recommendation

For appointments, the following must be included:

- the full name(s) of the person(s) being appointed;
- the title(s) of the position(s);
- the name of the Committee;
- the authority to appoint (ie the Act and section); and
- the term of appointment.

Where Executive Council approval is required the following wording must be used for the recommendation:

Cabinet supports the appointment by the Governor, in Executive Council, of ... as ...to the ... Committee, in accordance with Section ... of the ...Act, for a term of ... years expiring on...(or for a term commencing on... and expiring on ...).

If a specific commencement date is recommended it cannot be a date prior to the Governor's approval.

If Executive Council approval is not required, the following wording would be:

Cabinet endorses the appointment by the Minister for xxx of ... to the ... Committee, (all names to be listed and terms of appointments included).

If more than one person is being appointed, they must be listed in number form.

## 14.8 Signature

The Minister must sign the minute, with the Minister's full name and the portfolio area relevant to the submission to be included. Rubber stamp signatures or other facsimile signatures will not be accepted under any circumstances, with the exception of any approved arrangements under Appendix L.

**14.9 Board details:** A pro forma has been developed to capture data required for the State Government Boards and Committees database. All details should be included to ensure the Register published on the public website is kept up to date.

## 14.9 Curriculum Vitae

A current curriculum vitae must be attached for all appointments including reappointments. One to two pages is sufficient (see Appendix H for information required).

CONFIDENTIAL

**CABINET SUMMARY SHEET**

OFFICE USE ONLY	
SUBMISSION NO.	DATE RECEIVED

TITLE OF CABINET MINUTE		
MINISTER'S NAME, TITLE AND RELEVANT PORTFOLIO		
IMPLEMENTING AGENCY		
PURPOSE (objective of proposal)		
COSTING/FINANCIAL IMPLICATIONS		
Is proposal covered by existing/approved forward estimates? <input type="checkbox"/> Yes <input type="checkbox"/> No		
IF NO, DOES PROPOSAL HAVE AN ADDITIONAL IMPACT ON:		
Expense Limit	Net Operating Balance	Net Debt
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
FTE Increases		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
IS PROPOSAL TO BE FUNDED (FULLY OR PARTIALLY) VIA:		
<input type="checkbox"/> Re-prioritisation of savings	<input type="checkbox"/> Reduction in cash balance	
<input type="checkbox"/> Royalties for Regions		
<input type="checkbox"/> Increase in appropriation	<input type="checkbox"/> Increase in retained revenue	
HAS THE DEPARTMENT OF TREASURY EVALUATED FINANCIAL IMPLICATIONS OF PROPOSAL?		
<input type="checkbox"/> Yes <input type="checkbox"/> No (TO BE DETAILED IN CONSULTATION SECTION OF CABINET MINUTE)		
Is this an asset investment proposal? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, has Treasury confirmed it complies with the Strategic Asset Management Framework? <input type="checkbox"/> Yes <input type="checkbox"/> No		
IS THIS A REGULATORY PROPOSAL? YES NO	RG ID#	Treasurers Exemption Obtained
(If yes, complete Regulatory Impact Assessment section)	(Regulatory proposals with Economically Significant Impacts)	If Yes <u>INSERT DATE</u> :
RELATION TO GOVERNMENT POLICY, DESIRED OUTCOMES AND KEY PERFORMANCE INDICATORS		
DATE OF PREVIOUS CABINET DECISION/S		
URGENCY/EVALUATION EVIDENCE		
WHO HAS BEEN CONSULTED/EXTENT OF AGREEMENT REACHED		
RECOMMENDATION		

**IMPLEMENTATION REQUIREMENTS**

EXECUTIVE COUNCIL APPROVAL	LEGISLATION REQUIRED	<input type="checkbox"/> Amendments
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> New legislation
ACTION REQUIRED BEFORE ANNOUNCEMENT		
TIMING OF ANNOUNCEMENT	SIGNATURE	DATE



MINISTER FOR...

SUBMITS TO

PREMIER (IN CABINET)

TITLE OF MINUTE

PURPOSE

BACKGROUND

COSTING/FINANCIAL IMPLICATIONS

Additional impact on existing/approved forward estimates	[Current year] \$'000	[Forward estimate year 1] \$'000	[Forward estimate year 2] \$'000	[Forward estimate year 3] \$'000
Expense Limit				
Net Operating Balance				
Asset Investment Program				
Net Debt				
Full Time Equivalent staff				

Footnote: Above information verified by [name, title, agency]

RELATION TO GOVERNMENT POLICY

URGENCY

CONSULTATION

REGULATORY IMPACT ASSESSMENT

Have Better Regulation Principles been applied?  Yes  NoAre impacts of the proposal economically significant?  Yes  No*(Table to be completed only for proposals requiring a Regulatory Impact Statement. If not, remove table)*

<b>Justification for the preferred option</b>	<i>(briefly outline how this option is better than alternatives)</i>
<b>Estimated impact of the proposal</b>	<b>Impacted parties</b> <i>(briefly describe the main beneficiaries and those adversely impacted)</i>
	<b>Economic impact</b> <i>(identify estimated impacts; if not significant, provide justification)</i>
<b>Justification for the preferred option</b>	<i>(briefly outline how this option is better than alternatives)</i>

REGIONAL IMPACT

MEDIA/COMMUNICATIONS STRATEGY

RECOMMENDATION

(Signature)

Name

MINISTER FOR...

**CONSULTATION SUMMARY**

<b>TITLE OF CABINET SUBMISSION</b>	<b>PORTFOLIO</b>
<b>SUMMARY</b>	
<b>SUBMITTED BY MINISTER FOR</b>  Date:	Department/agency contact name:  Telephone number:

## GUIDELINES FOR COMPLETING THE COSTING/FINANCIAL IMPLICATIONS SECTION OF THE CABINET SUMMARY SHEET

Agencies should work with the Department of Treasury (Treasury) to ensure the costing/financial implications section provides accurate information on whether the:

- proposal is covered by the existing/approved forward estimates, i.e. does the proposal have an additional impact on the latest published financial estimates of an agency's revenue or expenses, capital works program, and/or cash balance.
- proposal, for those with funding implications not covered by the existing/approved forward estimates, affects:
  - an agency's approved expense limit;
  - the general government sector's net operating balance (i.e. the budget surplus); and/or
  - the State's public sector net debt levels;
- proposal requests funding via:
  - a reprioritisation of initiatives within the relevant portfolio, or achieving savings;
  - an increase in appropriations (i.e. from the Consolidated Account);
  - an increase in retained revenue; and/or
  - a reduction in cash balances;
  - from Royalties for Regions; and
- Treasury has evaluated the financial implications of the proposal:
  - this does not mean that the Treasury needs to agree with the financial implications of a proposal before it is considered by Cabinet or ERC (although this is the preferred outcome) but that the Treasury's advice must be sought on the proposal's financial implications, with the detail of this consultation included in the consultation section of the Cabinet minute;
  - evaluation does not imply approval of additional funding, but is simply to ensure that Cabinet has full and accurate information to consider; and
  - Executive Government Services will not accept submissions unless the financial implications of the proposal have been evaluated by Treasury.

More than one box can be ticked in the Cabinet summary sheet in relation to the additional impact of the proposal and how the proposal is to be funded. That is, a proposal may:

- have an additional impact on, for example, the:
  - agency's approved expense limit and the net operating balance; and
  - agency's approved expense limit, the general government sector's net operating balance and public sector net debt;
- be funded from either a combination of a reprioritisation of initiatives within the relevant ministerial portfolio (or the achievement of savings), an increase in appropriations, an increase in retained revenue; and/or a reduction in cash balances.

Where it is proposed that a submission be funded from the Royalties for Regions program, the submission should be jointly signed by the Minister responsible for the implementing agency and the Minister for Regional Development.

**CABINET-IN-CONFIDENCE**  
**CABINET APPOINTMENT**  
**SUMMARY SHEET**

CABINET OFFICE USE
SUBMISSION NO.

TITLE OF BOARD OR COMMITTEE <b>ENTER TITLE OF BOARD (correct legal name)</b>
MINISTER RESPONSIBLE <b>ENTER HON MINISTER'S NAME MLA/MLC, RELEVANT PORTFOLIO</b>

PROPOSED APPOINTEE(S)

TITLE	FULL NAME	ELIGIBLE FOR REMUNERATION (EXTERNAL)	TERM OF APPOINTMENT	
			Commencing	Expiring

RELEVANT ACT OR AUTHORITY (see Cabinet Handbook) UNDER WHICH BOARD MEMBERS ARE APPOINTED

TIER CLASSIFICATION (see Premier's Circular 2022/02 – State Government Boards and Committees)  
A  B  C  D

COMPOSITION OF BOARD IF CABINET APPROVES THE PROPOSED APPOINTMENT/S:

Total number of positions on board	_____	Number of women	_____
Total number of positions filled	_____	Number of men	_____

Is Executive Council approval required?      Yes                       No

Has the OnBoardWA Register been consulted?      Yes                       No

Is this submission:

Establishing a Board	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Abolishing a Board	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Appointing Board Members	Yes <input type="checkbox"/>	No <input type="checkbox"/>			

REMUNERATION RECEIVED (As recommended by PSC or SAT, if applicable)

Chairperson      \$Amount per meeting/per annum, half/full day etc.

Members      \$Amount per meeting/per annum, half/full day etc.

OTHER ALLOWANCES PAYABLE

Travel Reimbursement      Yes                       No

CREATION DATE OF BOARD dd/mm/yyyy TENURE OF BOARD Ongoing      Yes <input type="checkbox"/> No <input type="checkbox"/> Termination date of Board (if known) dd/mm/yyyy	Minister's signature
--	----------------------

FREQUENCY OF MEETINGS <input type="checkbox"/> Weekly <input type="checkbox"/> Half-yearly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly <input type="checkbox"/> Other                      ___[please specify]___	Date
---	------

**MINISTER FOR...**

**SUBMITS TO**

**PREMIER (IN CABINET)**

**ENTER CORRECT TITLE OF BOARD (Same as on Summary Sheet)**

**PURPOSE OF BOARD**

ENTER purpose/function/objectives/role of the board. Relevant Act or authority to appoint.

**CURRENT MEMBERSHIP**

ENTER membership indicating that more details can be found at Attachment 1.

If new board, delete this section and remove the words "CHANGES TO" in the next section and add "PROPOSED".

**CHANGES TO BOARD MEMBERSHIP**

Name those being nominated for appointment (details at Attachment 1) and include a brief outline of the selection process. Include information on whether the OnBoardWA Register was used. What consultation and suitability assessment was used. Has the candidate been assessed in regard to any potential conflict of interest, criminal history, working with children, etc. Is the nominee currently a member of other Western Australian Government Boards? Curriculum Vitae for each nominee to be Attachment 2. The Diversity Questionnaire on the CV proforma provides government with important data on the diversity of board membership across the sector and helps us assess how well we are achieving these outcomes.

**FEES AND ALLOWANCES**

ENTER details of sitting fees as paid and recommended by the Public Sector Commission or SAT (where applicable). List all board members, including those being nominated for appointment and who are not entitled to receive a sitting fee, and detail remuneration rates if received and other allowances (include details of where the sitting fee is paid from, e.g. Consolidated Fund, Commonwealth Government, Self-Funded).

Name	Remunerated Y/N	Amount	Other Allowances	Funding Source

**RECOMMENDATION**

That Cabinet endorses the appointment by the Minister (or supports the appointment by His Excellency the Governor in Executive Council) of [name of member] as [board position] (or of the following and list members names and positions) to the [name of board] in accordance with section [x] of the [enter Act] for a term commencing on [enter date] and expiring [enter date].

Name

**MINISTER FOR**

BOARD PRO FORMA

<b>TITLE OF BOARD/COMMITTEE:</b>	
<b>LEGISLATIVE AUTHORITY:</b>	
<b>AGENCY CONTACT DETAILS:</b>	<b>(Committee Secretary), Address, Phone, email</b>

<b>Proposed New or Re-appointed Members</b>	FULL NAME (Include Title)	DATE OF BIRTH	GENDER	POSITION ON BOARD	NOMINEE SOURCED FROM OnBoardWA (Y/N)	REMUNERATION \$ AMOUNT P.A.	SECTION OF ACT	REPLACING (CEASED MEMBERS NAME) OR DATE OF FIRST APPOINTMENT	TERM OF APPOINTMENT (COMMENCING & EXPIRING)

<b>Continuing Members</b>	FULL NAME (Include Title)	DATE OF BIRTH	GENDER	POSITION ON BOARD	NOMINEE SOURCED FROM OnBoardWA (Y/N)	REMUNERATION \$ AMOUNT P.A.	SECTION OF ACT	FIRST APPOINTMENT DATE	TERM OF APPOINTMENT (COMMENCING & EXPIRING)

<b>Members Ceased</b>	FULL NAME (Include Title)	DATE OF BIRTH	GENDER	DATE CEASED	REASON

## Curriculum Vitae Pro forma

The following information is required by the Department of the Premier and Cabinet from board member nominees. (For both new members and reappointed members.) A maximum of two pages for each member.

Title

Full Name

Postal Address

Contact Telephone Number

Email Address

Date of Birth            dd/mm/yyyy

Current employer and position

Work history relevant to board position

Voluntary involvement relevant to board position

Qualifications/training

Other board experience (list all current positions)

Current contact details of two (2) referees

The following information provides important data on the diversity of board membership across government and helps assess achievement of these outcomes.

Aboriginal	Yes / No	
Torres Strait Islander	Yes / No	
Country of Birth – Australia	Yes / No	If no, please specify
Language other than English spoken at home	Yes / No	If yes, please specify
Person with a disability or special needs	Yes / No	If yes, please specify

**Cabinet Referral Sheet  
Submission title**

Cabinet Agenda

Proposed Meeting No:

Comments due by

Time 10.00am

Date

**For Comment by:**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> ALL MINISTERS - MINISTER ONLY | <input type="checkbox"/> Treasurer                                  | <input type="checkbox"/> Water                                |
| <input type="checkbox"/> All Ministers                 | <input type="checkbox"/> Finance                                    | <input type="checkbox"/> Fisheries                            |
| <input type="checkbox"/> For Ministers awareness       | <input type="checkbox"/> Energy                                     | <input type="checkbox"/> Forestry                             |
| <input type="checkbox"/> Premier                       | <input type="checkbox"/> Aboriginal Affairs                         | <input type="checkbox"/> Innovation and ICT                   |
| <input type="checkbox"/> Public Sector Management      | <input type="checkbox"/> Tourism                                    | <input type="checkbox"/> Science                              |
| <input type="checkbox"/> State Development             | <input type="checkbox"/> Racing and Gaming                          | <input type="checkbox"/> Director General, DPC                |
| <input type="checkbox"/> Jobs and Trade                | <input type="checkbox"/> Small Business                             | <input type="checkbox"/> Deputy Director General, DPC         |
| <input type="checkbox"/> Federal-State Relations       | <input type="checkbox"/> Defence Issues                             | <input type="checkbox"/> Policy Advice                        |
| <input type="checkbox"/> Deputy Premier                | <input type="checkbox"/> Citizenship and Multicultural Affairs      | <input type="checkbox"/> Commissioner, PSC                    |
| <input type="checkbox"/> Health                        | <input type="checkbox"/> Asian Engagement                           | <input type="checkbox"/> Under Treasurer                      |
| <input type="checkbox"/> Mental Health                 | <input type="checkbox"/> Housing                                    | <input type="checkbox"/> State Solicitor                      |
| <input type="checkbox"/> Education and Training        | <input type="checkbox"/> Electoral Affairs                          | <input type="checkbox"/> Parliamentary Counsel                |
| <input type="checkbox"/> Environment                   | <input type="checkbox"/> Commerce and Industrial Relations          | <input type="checkbox"/> Executive Director Policy            |
| <input type="checkbox"/> Disability Services           | <input type="checkbox"/> Transport                                  | <input type="checkbox"/> Parliamentary Services               |
| <input type="checkbox"/> Police                        | <input type="checkbox"/> Planning                                   | <input type="checkbox"/> Boards & Committees                  |
| <input type="checkbox"/> Road Safety                   | <input type="checkbox"/> Lands                                      | <input type="checkbox"/> Formalities Officer - Exco Minute    |
| <input type="checkbox"/> Regional Development          | <input type="checkbox"/> Mines and Petroleum                        | <input type="checkbox"/> ERC                                  |
| <input type="checkbox"/> Agriculture and Food          | <input type="checkbox"/> Veterans Issues                            | <input type="checkbox"/> Better Regulation Unit               |
| <input type="checkbox"/> Emergency Services            | <input type="checkbox"/> Youth                                      | <input type="checkbox"/> Government Chief Information Officer |
| <input type="checkbox"/> Corrective Services           | <input type="checkbox"/> Child Protection                           |   |
| <input type="checkbox"/> Local Government              | <input type="checkbox"/> Women's Interests                          |   |
| <input type="checkbox"/> Heritage                      | <input type="checkbox"/> Prevention of Family and Domestic Violence |   |
| <input type="checkbox"/> Culture and the Arts          | <input type="checkbox"/> Community Services                         |   |
| <input type="checkbox"/> Attorney General              |   |   |
| <input type="checkbox"/> Seniors and Ageing            |   |   |
| <input type="checkbox"/> Volunteering                  |   |   |
| <input type="checkbox"/> Sport and Recreation          |   |   |

**Transmittal Log**

Name of Officer/Agency	Date Received	Time Received	Date Sent	Time Sent

Please return this sheet together with all copies of the Cabinet Submission to:  
**Manager, Executive Government Services**  
**Department of the Premier and Cabinet**  
**Dumas House, 2 Havelock Street, West Perth, 6005**



**CABINET COMMENT SHEET**

<b>TO THE PARLIAMENTARY SECRETARY OF THE CABINET</b>	<b>SUBMISSION NUMBER</b>
<b>TITLE OF CABINET SUBMISSION</b>	<b>SUBMISSION FROM MINISTER FOR</b>
<b>COMMENTS</b>	
<b>COMMENT SUBMITTED BY MINISTER FOR</b>	<b>ADDRESS ENQUIRIES TO</b> (name and tel. no.)



## CABINET DECISION SHEET

TITLE OF CABINET MINUTE:	
MINISTER(S)	DATE OF MINUTE
DECISION	
PREMIER	DATE OF DECISION
COPIES TO	

## **CABINET PROCEDURES DURING EMERGENCY SITUATIONS**

These procedures are to be read in conjunction with the Cabinet Handbook, and only apply during periods as advised by the Premier to Cabinet members.

### **1. Communication**

The Cabinet inbox: [cabinet@dpc.wa.gov.au](mailto:cabinet@dpc.wa.gov.au) should be used for all email communication relating to Cabinet matters between Ministerial offices and Executive Government Services Officers. This includes requests such as:

- Assistance in completing submissions
- Checking items on an agenda
- Apologies from meetings

All emails relating to Cabinet matters are to be marked “Cabinet in Confidence” in the subject line and body of the email, and are shared on a need to know basis only.

### **2. Meeting place and time**

#### **(CABINET HANDBOOK ITEM 1.2 – CABINET MEETINGS)**

The Premier may direct that Cabinet meet at a different venue and at different times than stated in the Cabinet Handbook.

Executive Government Services will immediately notify all attendees and stakeholders via email of changes as soon as they occur.

### **3. Attendance**

#### **(CABINET HANDBOOK ITEM 1.3 – MINISTERS’ ATTENDANCE AT CABINET)**

Videoconferencing or telephone hook-ups may be used to connect Ministers and/or presenters remotely to a meeting.

If a Minister wishes to use this facility, their office should email the Cabinet inbox requesting approval, and should state whether the request applies to a specific meeting or is a standing requirement for future meetings.

Executive Government Services will confirm approval with the Premier and advise the Minister’s office.

Executive Government Services will be responsible for issuing instructions and ensuring participating Ministers are fully prepared.

Ministers who have been permitted to participate virtually are reminded of the following security protocols:

- Meeting invites which have been emailed are not to be forwarded on to others, nor are attendees permitted to have anyone else in the room who has not been invited;
- Meetings are not to be recorded, nor are screen shots to be taken; and
- Do not use a public internet connection (e.g. publicly available wi-fi) for these meetings.

#### **4. Cabinet submissions**

##### **(CABINET HANDBOOK ITEMS 10-14 – PRESENTATION AND ASSEMBLY OF DOCUMENTS)**

The requirement for original signed Cabinet submissions may be waived by the Premier.

In order to obtain an approval to lodge submissions electronically, the Minister's office should send a request for approval to the Cabinet inbox and state the time period for which the exemption applies.

If approval is given, submissions should be lodged using Microsoft Teams (Teams). A separate email to Executive Government Services is required to inform them of the lodgement, and include an email indicating the Minister's approval to lodge the submission using their electronic signature.

Where the Premier has already given approval for a Minister to attend all meetings virtually for a set period (due to, for example, a requirement to self-isolate) this will be interpreted to mean that submissions can be lodged electronically, using an electronic signature, during this same period and there is no need to obtain a separate approval to do so.

#### **5. Cabinet files**

##### **(CABINET HANDBOOK ITEM 9 – CIRCULATION AND REFERRAL OF CABINET SUBMISSIONS)**

If it is not possible for Executive Government Services to prepare hard copies of Cabinet files, or to deliver hard copies to particular Ministers, an electronic copy of the files will be distributed to recipients using Teams. Late items will be distributed in the same manner.

Executive Government Services will inform Ministers Offices when files have been uploaded onto Teams.

Cabinet files uploaded onto Teams are to be treated with the highest level of confidentiality. Under no circumstances are there to be copies made (including screenshots or photographs) or shared. Papers will have security controls preventing editing and will be removed from Teams after the conclusion of the meeting.

With approval of the Premier, Ministers may use electronic devices to access papers during Cabinet meetings.

#### **6. Cabinet decisions**

##### **(CABINET HANDBOOK ITEM 5 – RECORDING AND DISTRIBUTION OF CABINET SUBMISSIONS)**

In the event of the Premier being unavailable to sign original Decision Sheets, soft copies will be forwarded via Teams to the Premier's Office.

The Premier's Office will arrange for the Decision Sheets to be signed and returned to Executive Government Services.

If the above is not possible, the Premier's office will, on approval of the Premier, insert an electronic signature on the finalised Decision Sheets and return them to Executive Government Services via Teams.

If Ministers' offices are not accessible in person, Executive Government Services will forward copies of the signed Decision Sheets to the relevant Executive Officers via Teams.