Cabinet Handbook

Cabinet and Executive Council Office
Department of Premier and Cabinet
Tasmanian Government

August 2025 | Version 5

Level 4, 15 Murray Street

HOBART TAS 7000

For general enquiries: Cabinet.Office@dpac.tas.gov.au

For Cabinet and Executive Council process enquiries: 03 6185 6088



Version	Date	Author
1	March 2017	Cabinet and Executive Council Office
2	March 2018	Cabinet and Executive Council Office
3	December 2022	Cabinet and Executive Council Office
4	April 2024	Cabinet and Executive Council Office
5	August 2025	Cabinet and Executive Council Office
Document review		Annual

Acronyms		
ASA	Agency Security Advisor	
CEO	Chief Executive Officer	
DPAC	Department of Premier and Cabinet	
GBE	Government Business Enterprise	
IDC	Interdepartmental committee	
LRF	Long range forecast	
OPC	Office of Parliamentary Counsel	
soc	State-owned company	
TAS-PSPF	Tasmania's Protective Security Policy Framework	
Treasury	Department of Treasury and Finance	
UTL	Under the Line	

The Cabinet Handbook is maintained by the Cabinet and Executive Council Office (Cabinet Office) in DPAC.

Cabinet Office welcomes suggestions to improve the handbook or Cabinet processes.

Resources supporting the development of legislation, preparing and presenting matters to Executive Council, and information specific to the management of Tasmanian boards and committees is available on DPAC's website. Cabinet Office is available to advise and assist on matters of procedure. Please contact the Cabinet Office by emailing Cabinet.Office@dpac.tas.gov.au for assistance.

All resources in this handbook are available on the <u>Cabinet Handbook templates and examples</u> website.

Contents

Def	initi	ons	5
1.	Pι	urpose of the Cabinet Handbook	6
1	.1.	What is Cabinet?	6
1	.2.	Principles of Cabinet	8
2.	Ca	abinet Roles and Responsibilities	9
2	2.1.	Collective Responsibility	9
2	2.2.	Cabinet Confidentiality	9
2	2.3.	Security of Cabinet documents	10
2	2.4.	Sharing, storage and disposal of Cabinet documents	11
2	2.5.	Reporting incidents of breaches of Cabinet confidentiality	13
2	2.6.	Regular Cabinet document security compliance check	14
3.	Ca	abinet Procedures	14
3	3.1.	Matters that come before Cabinet	14
3	3.2.	Types of Cabinet submissions	15
3	3.3.	Cabinet schedule and regional Cabinet meetings	17
3	3.4.	Preparing the Cabinet agenda	17
3	3.5.	Declaration of interest in matters to be considered by Cabinet	18
3	3.6.	Inviting guests to Cabinet	18
3	3.7.	Long Range Forecast – future Cabinet agenda items	19
3	3.8.	Cabinet During the Caretaker period	20
4.	Ca	abinet Minutes	21
4	l.1.	Preparing a Cabinet Minute	21
4	.2.	Lodgement of Cabinet Minutes	22
4	.3.	Drafting considerations	22
4	.4.	Attachments to Cabinet Minutes	23
4	ł.5.	Annexe statements	24
5.	Le	egislative Minutes	27

	5.1.	Preparing a Legislative Minute	
	5.2.	Lodgement of Legislative Cabinet Minutes	
6.	Cal	oinet Briefings	29
	6.1.	Preparing a Cabinet Briefing	29
	6.2.	Lodgement of Cabinet Briefings	29
	6.3.	Appointment Briefings	30
	6.4.	Government Boards, Authorities and Committees	30
	6.5.	Senior and Statutory Office Appointments	31
	6.6.	Government Business Enterprise and State-Owned Company	32
	6.7.	Final Bill Briefings	33
	6.8.	Cabinet Committee Briefings	34
	6.9.	Cabinet Briefings with Communications Strategies	34
7.	Lat	e Lodgement of Cabinet submissions	35
	7.1.	Timeliness of Cabinet submissions	35
	7.2.	Request for late submission	36
8.	Co	nsultation	37
	8.1.	Cabinet advisories and comments	38
	8.2.	Consultation specific to board appointments	38
9.	Fo	mat Requirements for Cabinet Minutes and Briefings	40
10	. Ca	binet Decisions	41
11	. Cal	oinet Committees	45
	11.1.	Establishment of committees	45
	11.2.	Operation of committees	46
	11.3.	Committee papers	46
	11.4.	Cabinet committee decisions	47
	11.5.	Storage and disposal of committee papers	47
12	. 0	ther Cabinet Matters	48
	12.1.	Executive Council Explanatory Note	48
	12.2.	Tasmanian Government Submissions to Inquiries and Reviews	49
Αp	pendi	x A - Addendum to the Cabinet Handbook: National Cabinet	50

Definitions

- Advisory: a short briefing document provided to Cabinet for information only, to support decision-making. It is used to inform Ministers about important matters, updates, or developments that do not require a Cabinet decision at that time.
 Advisories help ensure Cabinet is aware of key issues, particularly those that may:
 - Have whole-of-government implications;
 - o Relate to sensitive or emerging matters; and
 - o Influence future policy or legislative work.

Unlike a full Cabinet Submission, an Advisory does not propose any recommendations or seek approvals. However, it is still considered Cabinet-in-Confidence and is handled according to the same security and confidentiality protocols.

- Agency Security Advisor: person/people nominated to perform security functions
 or specialist services related to security within a department (required by all state
 bodies under the TAS-PSPF).
- Cabinet submissions: for the purposes of the handbook, these include any Document submitted by a sponsoring Minister for consideration by Cabinet.
- **Department(s)/Agencies:** all Tasmanian Government departments as defined by the *State Service Act 2000* (Tas).
- eCabinet system: eCabinet is an electronic workflow system that enables Cabinet processes for the Cabinet Office, Ministers' Offices, Ministers, Tasmanian Government departments and the Cabinet Secretary.
- 'For information' copies: refers to all copies of Cabinet records that are not the
 original records retained by the Cabinet Office. This includes copies of Cabinet
 decisions sent to ministers and departments that are either responsible for
 implementing or affected by the decision. These documents are classified as
 short-term value records for the purposes of the *Archives Act 1983* and may be
 securely destroyed.
- Tasmania's Protective Security Policy Framework (TAS-PSPF): a central framework which establishes nationally consistent protective security standards and coordinates a whole-of-government approach to the protection of Tasmanian Government resources.

1. Purpose of the Cabinet Handbook

The Cabinet Handbook (Handbook) outlines the procedures, conventions, and expectations that support the effective operation of Cabinet and its related processes. It is intended for all individuals involved in preparing Cabinet documentation or managing processes that support Cabinet decision making.

The Handbook provides a framework to ensure the efficient, professional, and timely presentation of matters for Cabinet consideration. Adherence to these procedures is essential to support good governance and maintain the integrity of Cabinet processes.

Maintaining Cabinet confidentiality relies on strict compliance with security requirements by Ministers, ministerial staff, departmental officers, GBEs and SOCs.

The Cabinet Office is responsible for the day-to-day administration of Cabinet business, operating in accordance with the policies determined by Cabinet and the procedures outlined in this handbook.

Cabinet typically meets weekly throughout the year, and the Cabinet Office follows a timetable to prepare for each meeting.

Officers preparing Cabinet material are responsible for ensuring that documents meet the standards set out in this handbook. Submissions that do not meet the required quality or format standards, or that are received after established deadlines, may be returned by the Cabinet Office. Late or non-compliant submissions risk being deferred to a future meeting to maintain the overall integrity and efficiency of the Cabinet process.

The Cabinet Office also plays a quality assurance role, ensuring, as far as possible, that submissions meet minimum standards, and providing support to Ministers, ministerial offices, and departments on administrative aspects of Cabinet processes.

1.1. What is Cabinet?

- 1.1.1. The Tasmanian Cabinet is the central decision-making body of the State Government. It is made up of the Premier (as Chairperson) and all Ministers, each of whom is responsible for a specific area of government (for example health, education, transport, etc.). It may also include other members of Parliament, at the Premier's discretion.
- 1.1.2. While Cabinet is not formally mentioned in the <u>Constitution Act 1934</u> (Tas) or any other legislation, it operates under long-standing conventions and plays a vital role in the running of government.

- 1.1.3. Cabinet's main responsibilities include:
 - Setting government policy deciding the direction the government will take on major issues.
 - ii. Making key decisions approving new laws, significant programs, funding proposals, and public appointments.
 - iii. Coordinating government action ensuring different areas of government work together effectively.
 - iv. Responding to emerging issues like natural disasters, health crises, or economic changes.
- 1.1.4. Typically, Cabinet meets on a weekly basis. Ministers and other members of Cabinet are expected to attend every meeting or provide the Premier with reasons why they are unable to attend.
- 1.1.5. Departments that prepare documentation for the consideration of Cabinet are doing so on behalf of the responsible Minister. It is the Minister who presents matters to Cabinet for discussion. Ministers are responsible for the proposals they bring forward, including when detailed development or drafting may have been done on their behalf.
- 1.1.6. The decisions of Cabinet are given effect by individual Ministers whose actions are often authorised under particular Acts of Parliament or under provisions endorsed by the Governor-in-Council through an Executive Council meeting. The Governor-in-Council gives legal force to all administrative acts by the Governor which cannot be, by law, authorised by individual Ministers, public servants or other government employees and officials. Cabinet Decisions have no legal standing until given effect by the Parliament, Executive Council or the Minister.
- 1.1.7. At all times, departmental officers and ministerial staff must act in support of Ministers' obligations to abide by Cabinet conventions and their Minister must be notified of any actual or potential breach.
- 1.1.8. The Cabinet Secretary may be a person appointed to that role under the <u>Constitution Act 1934</u>, a Parliamentary Secretary to Cabinet appointed by the Premier, a member of Cabinet nominated by the Premier, the Secretary of DPAC, or their nominated delegate.

1.2. Principles of Cabinet

- 1.2.1. Cabinet processes are established by the Premier to ensure all Ministers are bound by the same rules and by high standards of probity and accountability for their Ministerial Portfolios.
- 1.2.2. Cabinet is collectively responsible for Decisions of the government. Each Minister acts jointly with and on behalf of Cabinet colleagues in their capacity as Ministers. This is known as 'collective responsibility' and enhances joint support for and adherence to all decisions made in Cabinet. Cabinet Decisions are binding on all Cabinet members as government policy.
- 1.2.3. Information considered by Cabinet is to be of the highest standard. To ensure informed decision-making can occur, the advice submitted to Cabinet must be clear, practical, and aligned with government priorities. <u>Consultation</u> with relevant departments and stakeholders is an essential element of ensuring Cabinet are fully informed when making decisions for government.
- 1.2.4. The deliberations of Cabinet and its Committees are to be conducted in a secure and confidential environment, and ongoing confidentiality of Cabinet and related records must be maintained.
- 1.2.5. Cabinet exists to support informed decision-making by the Government, ensuring that decisions are made with a clear understanding of the associated risks, benefits, and implications.
- 1.2.6. Cabinet Solidarity is an important convention of the Westminster system of Cabinet, in accordance with this Ministers must publicly support Cabinet decisions. If a Minister cannot do so, the appropriate course is to resign from Cabinet.

2. Cabinet Roles and Responsibilities

2.1. Collective Responsibility

- 2.1.1. Cabinet operates under the convention of collective responsibility. All Cabinet decisions reflect collective deliberation and are binding on every Cabinet member as government policy.
- 2.1.2. Cabinet members must receive relevant documents in advance to enable informed and timely consideration. Departments play a key role by ensuring early consultation on matters coming to Cabinet so that any inter-portfolio issues are addressed prior to discussion.
- 2.1.3. The confidentiality of Cabinet enables open and frank discussion, resulting in unified decisions.
- 2.1.4. If a Minister has a material conflict of interest in a matter being considered:
 - Cabinet Office is to be notified prior to document circulation to withhold the relevant papers; and
 - ii. The interest must be declared at the start of the meeting. The Minister may be asked to withdraw from discussion on that item.

2.2. Cabinet Confidentiality

- 2.2.1. Cabinet is the highest decision-making body of government. The type of matters considered by Cabinet have significant implications for the government and for the broader community. The unauthorised or premature disclosure of Cabinet information may be damaging to the government and its public policy agenda.
- 2.2.2. Unauthorised disclosure of Cabinet information is likely to constitute a criminal offence under the <u>Criminal Code Act 1924</u> (Tas), including under provisions relating to the disclosure of official secrets. Serious breaches can result in criminal prosecution, as well as disciplinary or administrative action.
- 2.2.3. Everyone involved in the Cabinet process is responsible for confidentiality – this includes Ministers, ministerial staff, departments, GBEs and SOCs.

- 2.2.4. Cabinet confidentiality is maintained through restricting the distribution of and access to Cabinet documents, and any documents prepared for Cabinet, generated to support Cabinet matters, or which reveal decisions and/or deliberations of Cabinet.
- 2.2.5. Cabinet documents must be securely handled, stored and disposed of, and accessed on a strict need-to-know basis.
- 2.2.6. Ministers, ministerial staff and departments must not make public statements or comment on matters being brought to Cabinet, as doing so pre-empts Cabinet deliberations and breaches confidentiality. Identifying individual Ministers with particular views undermines Cabinet's collective decision-making.
- 2.2.7. Ministers are responsible for public communication within their own portfolio areas and should avoid commentary on issues outside their remit without prior approval from the Premier.
- 2.2.8. If an issue spans multiple portfolios, the responsible Minister must seek a collective Cabinet position or consult the Premier and relevant Ministers before commenting publicly.
- 2.2.9. Ministers must ensure there is no announcement of policy initiatives or expenditure commitments which have not been given Cabinet authority or, where appropriate, Governor-in-Council approval. In exceptional cases where prior Cabinet approval is not possible, proposed announcements are to be made in accordance with the <u>Executive Council Handbook.</u>
- 2.2.10. The <u>Right to Information Act 2009</u> specifies that certain Cabinet information is exempt from release under Right to Information requests. Any queries regarding Cabinet documents and Right to Information should be directed to your agency's Right to Information or legal team.

2.3. Security of Cabinet documents

- 2.3.1. All information prepared for the purpose of Cabinet consideration, including its deliberations and decisions, is confidential. Ministers, ministerial staff, departments, GBEs and SOCs must protect the confidentiality, integrity and availability of Cabinet information.
- 2.3.2. Cabinet documents are managed through the <u>eCabinet system</u>, which applies enhanced information control measures. Access is restricted to

Cabinet Handbook | CM 25/103275

- authorised users with defined roles and a clear 'need-to-know' basis. A record of access and document distribution is maintained.
- 2.3.3. Cabinet information must be classified and marked in accordance with <u>Tasmania's Protective Security Policy Framework</u> (TAS-PSPF), based on the assessed sensitivity of the content.
- 2.3.4. The standard protective marking for Cabinet information is:
 OFFICIAL: Sensitive//TAS CABINET applied to all documents prepared for Cabinet submission.
- 2.3.5. In some instances, the Premier or Cabinet Secretary may direct that a submission be further restricted and subject to limited distribution.

 These documents must be marked:
 - OFFICIAL: Sensitive//TAS CABINET//EXCLUSIVE FOR
- 2.3.6. When Cabinet documents are downloaded from eCabinet, a watermark is automatically applied. This includes the user's first and last name, email address, date, time, and security classification. These details must remain visible on all digital and printed copies originating from the download.
- 2.3.7. The user who accesses or downloads a Cabinet document or documents is responsible for their secure storage, and destruction.

2.4. Sharing, storage and disposal of Cabinet documents

- 2.4.1. Secure handling procedures apply to all electronic and printed versions of Cabinet documents, including drafts, working documents and final versions.
- 2.4.2. Due to the stronger security controls within the eCabinet system and the higher risks associated with handling physical documents, it is strongly recommended that documents be stored securely in electronic form rather than printed.
- 2.4.3. The following security measures must be applied at the commencement of the drafting process. Information that significantly and specifically contributes to Cabinet's decision making process must be treated with the same level of confidentiality as the submission itself.

- 2.4.4. During the drafting process, electronic Cabinet documents must be stored securely on an approved department record management system with appropriate audit logging and access control capabilities. Access is to be restricted to persons directly involved in the development or analysis of the submission, or who have a specific role in the progression of the submission through to Cabinet.
- 2.4.5. Electronic transmission of Cabinet documents must occur through a secure department content management or workflow system, or through the eCabinet system. Authors and contributors must ensure any recipients of Cabinet documents adhere to required protections and handling. See section 8 for information about sharing Cabinet information with external parties.
- 2.4.6. If email correspondence is required (for example to undertake consultation during the drafting process) emails must be labelled with the protective marking 'Cabinet-in-Confidence' in the subject heading.
- 2.4.7. Printed copies of Cabinet documents must be transmitted securely, for example, using a sealed, opaque envelope and be hand-delivered. Documents must be stored in lockable containers or cabinets and not left exposed on desks or counters.
- 2.4.8. Only the finalised version of Cabinet documents are to be retained after submission to Cabinet. Previous drafts which have no continuing relevance must be securely destroyed. Printed copies must be shredded, and electronic versions permanently deleted from devices and systems (not soft deleted). Destruction is authorised in the Disposal Schedule for Short-term Value Records DA No. 2158 issued by the State Archivist, pursuant to section 24 of the *Archives Act* 1983.
- 2.4.9. Copies of Decisions distributed through the eCabinet system or final versions of submissions, when retained by departments, must be kept in a secure system and not with general departmental files. See section 10 for more information about <u>Cabinet Decisions</u>.
- 2.4.10. Cabinet and Ministerial Chiefs of Staff access Cabinet agendas and papers via the secure eCabinet system. While it is recommended that Ministers access documents solely through this platform for Cabinet meetings, printed documents may be used if required. In such cases, it is the responsibility of the relevant Ministerial office—particularly those to whom the documents are watermarked—to ensure that any hard copy materials are securely destroyed after the meeting.

Cabinet Handbook | CM 25/103275

- 2.4.11. Cabinet Office maintains records of all Cabinet documents for archiving purposes as required under the *Archives Act 1983*.
- 2.4.12. All requests for access to Cabinet documents must be directed to, and approved by, the preparing Department and/or the responsible Minister's Office. The Cabinet Office does not have authority to release official Cabinet documents without the proper approvals.
- 2.4.13. Any officer or external party seeking access will be advised to contact the relevant Department for consideration and approval in line with Cabinet confidentiality requirements.

2.5. Reporting incidents of breaches of Cabinet confidentiality

- 2.5.1. If the security of any Cabinet document(s) is breached, the incident must be reported to the Cabinet Secretary through the following ways:
 - Departments: breaches are raised with the relevant Agency Security Advisor (ASA) and reported by the relevant Head of Agency.
 - Ministerial offices: breaches are reported by the Chief of Staff.
- 2.5.2. If Cabinet information is given to, or comes into the possession of, an unauthorised person, all efforts must be immediately undertaken to (in the case of written information) retrieve the information and to identify the person(s) who had access.
- 2.5.3. The advice to the Cabinet Secretary must include:
 - i. The nature of the breach;
 - ii. Circumstances leading to the incident;
 - iii. The actions taken to rectify the breach; and
 - iv. Any remedial actions required to decrease the likelihood of future breaches.

13

2.5.4. The breach and its outcome will be reported to the DPAC ASA. The Cabinet Secretary will determine whether the incident requires further action, such as reporting it to Cabinet.

2.6. Regular Cabinet document security compliance check

- 2.6.1. DPAC is responsible for leading regular whole-of-government compliance checks. Findings, including any recommendations for security improvement measures, will be reported to the Secretary of DPAC and relevant Head of Agency for action.
- 2.6.2. Departments are strongly encouraged to periodically review their Cabinet security measures and processes to ensure compliance and address any process improvement requirements.

3. Cabinet Procedures

3.1. Matters that come before Cabinet

- 3.1.1. The type of matters which come before Cabinet (or a Cabinet Committee if relevant) include, but are not limited to:
 - New policy proposals and significant or sensitive variations to existing policies;
 - ii. Proposals that require legislation or appointments;
 - iii. Proposed responses to recommendations in reports of Parliamentary committees, inquiries and other significant reports that establish or vary policy;
 - iv. Establishment of negotiation parameters for key intergovernmental agreements, and endorsing significant intergovernmental agreements*;
 - v. Significant portfolio announcements;
 - vi. Proposals to refer matters to Parliamentary committees;
 - vii. Matters that may be strategic or contentious in nature; and
 - viii. Any other matter agreed in writing with the Premier.

3.2. Types of Cabinet submissions

- 3.2.1. There are two types of submissions which progress to Cabinet Cabinet Minutes and Cabinet Briefings.
 - i. <u>Cabinet Minutes</u> are used to seek a Cabinet decision on a specific matter. They are formal, decision-making documents that request approval, endorsement, or direction from Cabinet:
 - Cabinet Minutes for general policy, program, or funding decisions.
 - Legislative Minutes used to seek approval to develop or introduce legislation.

^{*} The processes for Intergovernmental agreements are outlined in Appendix A - Addendum to the cabinet Handbook: National Cabinet

- ii. <u>Cabinet Briefings</u> are used to inform Cabinet without seeking a formal decision. They are typically used to provide context, progress updates, or notify Cabinet of key matters:
 - Information Briefings for updates or issues for noting only.
 - Final Bill Briefings submitted when a final version of a Bill is ready to be introduced to Parliament, following prior Cabinet approval.
 - Appointment Briefings used to seek endorsement of proposed appointments to senior positions and boards or committees
- 3.2.2. Departments should carefully consider whether matters proposed "for noting" or "for information only" genuinely require Cabinet attention. If appropriate, these may be better managed through correspondence between the Premier, Treasurer, and relevant Ministers, rather than formal submission to Cabinet.
- 3.2.3. Generally, matters that would not need to progress to Cabinet include items such as progress updates on existing non- contentious initiatives, operational projects, reporting on implementation of recommendations from Royal Commissions or Commission of Inquiry, or matters that do not have a significant impact on government business.
- 3.2.4. If a Cabinet item is submitted using the incorrect document type i.e. a Briefing seeks consideration of substantial policy matters or contains content that warrants a formal Cabinet decision the Cabinet Office is to return it to the responsible Ministers office with a request to submit it using the correct document templates.
 - i. If a submission needs to be resubmitted, it may be deferred to a later meeting to ensure it meets Cabinet Office deadlines.

Cabinet Minute

Contains recommendations for consideration and a decision by Cabinet.

- New policy proposals and significant or sensitive variations to existing policies.

- Proposals that require legislation or appointments.
- Proposed responses to recommendations in reports of Parliamentary committees, inquiries and other significant reports that establish or vary policy.
- Significant intergovernmental relations (the Premier approves the process for intergovernmental agreements/ relations - see DPAC website).
- Signifcant portfolio announcements.
- Proposals to refer matters to Parliamentary committees.
- Matters that may be strategic or contentious in nature.
- Any other matter agreed in writing with the Premier.

Purpose

- Recommendations
- Background
- Issues and Supporting Information Options
- Annexe Statements
- Communication Strategy
- Additional attachments (if required)

Cabinet Briefing

Provides Cabinet with information which does not require a decision other than to note the information.

- Appointments.
- Returning bills for final endorsement.
- Progress Reports / Project Updates.
- Committee Briefings (when seeking endorsement of the Record of Decisions made by a Cabinet Committee).
- Information for Cabinet to note.

- Relevant details as indicated on specific templates.
- Specific templates are available for:
 - Information Briefing; Board or Committee; Proposed Government Appointment; Proposed CEO or GBE Appointment; Final Bill Briefing; Committee Briefing and Committee Papers.

Examples

nformation to include:

3.3. Cabinet schedule and regional Cabinet meetings

- 3.3.1. Cabinet meetings are typically held weekly, unless otherwise determined. A schedule of Cabinet meeting dates is developed and maintained by the Premier's Office. This is circulated to Departments and Ministerial Offices by the Cabinet Office.
- 3.3.2. To protect the security and confidentiality of Cabinet meetings, the Cabinet schedule is only circulated on a need-to-know basis. It must not be shared publicly.
- 3.3.3. Cabinet may opt to conduct its business in regional locations across Tasmania. All confidentiality, governance and meeting protocols must be maintained, regardless of location.
- 3.3.4. Portfolio Ministers may request advice specific to the location where the regional Cabinet meeting is being held through requests for Regional Cabinet Briefs. This will be coordinated by individual departments and is not considered part of the Cabinet process.

3.4. Preparing the Cabinet agenda

- 3.4.1. Cabinet Office prepares a draft agenda for each Cabinet meeting based on submissions received from Ministers and items identified in the Long Range Forecast (LRF). The draft agenda is provided to the Premier's Office for approval on the Wednesday prior to the meeting. The final content of the agenda is determined by the Premier's Office.
- 3.4.2. Only items lodged through eCabinet by the submission deadline will be confirmed on the agenda, unless a late lodgement has been approved by the Premier or their delegate. See section 7 - <u>Late</u> <u>Lodgement of Cabinet Submissions</u> for more information.
- 3.4.3. Requests for late lodgement must be submitted using the Request for Late Lodgement Form. Early engagement by Departments and/or Minister's Offices with the Cabinet Office is essential to ensure the item can be flagged for inclusion on the agenda. Once approved, the Minister or their delegate must notify Cabinet Office.

- 3.4.4. The formal Cabinet agenda, along with available submissions and supporting documents, is usually distributed to Cabinet members via the eCabinet system on the Friday prior to the meeting.
- 3.4.5. Cabinet documents are not to be printed unless absolutely necessary. The eCabinet system is the preferred and strongly recommended method for accessing Cabinet papers, as it ensures secure, efficient, and controlled handling of sensitive information.
- 3.4.6. In exceptional circumstances where a Minister specifically requests hard copy papers, ministerial offices may print them but only if this is done in strict compliance with the Cabinet document sharing. storage and disposal requirements set out in section 2.4.

3.5. Declaration of interest in matters to be considered by Cabinet

- 3.5.1. Cabinet Office will provide a forecast agenda for items to be discussed at the following Cabinet meeting. Should Ministers identify a potential conflict of interest in a matter to be discussed, they must:
 - Declare the conflict of interest as soon as possible to the Premier;
 - ii. Advise Cabinet Office prior to circulation that the Cabinet documents should not be circulated to them; and
 - iii. Declare the interest at the commencement of the meeting and absent themselves from discussion on that matter if required.
- 3.5.2. Conflicts of interests may include financial, personal and/or family interests.
- 3.5.3. A Minister's declaration of interest and/or absenting must be recorded in any resulting Cabinet Decision about the item under consideration.

3.6. Inviting guests to Cabinet

3.6.1. There may be circumstances where a Ministerial office or department advise that a guest is required to attend a Cabinet meeting to present to Cabinet on a particular item. This may occur either in person or via electronic means.

- 3.6.2. Cabinet Office must be informed of any requests so that they can arrange for a specific time on the agenda for this to occur, particularly in the instance where there is more than one presentation, or an Executive Council meeting is scheduled for the same Cabinet meeting.
- 3.6.3. All guest attendance requires the approval of the Premier or their delegate (i.e., Chief of Staff). Cabinet Office will liaise with the Premier's Office as necessary.
- 3.6.4. Guest attendance is noted on the corresponding Cabinet agenda to ensure there is a record for future reference.

3.7. Long Range Forecast – future Cabinet agenda items

- 3.7.1. A rolling LRF Cabinet agenda is to be considered by Cabinet and includes:
 - Working title of the future submission;
 - ii. Type of Submission;
 - iii. Responsible Portfolio (or Portfolios if a joint submission);
 - iv. Purpose of the submission;
 - v. Anticipated meeting date or critical date to be considered by Cabinet; and
 - vi. Urgency.
- 3.7.2. The LRF will be prepared based on advice from Departments in consultation with the relevant Ministers' offices. This will be provided to Cabinet for noting. The LRF will also be provided to Central Agencies to support the Cabinet process.
- 3.7.3. All Cabinet items are to be submitted to Cabinet within the timeframe set out in the LRF. For this reason, the forecast date must be realistic and take into account normal consultation and submission processes.

3.8. Cabinet during the Caretaker period

- 3.8.1. Cabinet does not meet during the caretaker period, unless in exceptional circumstances.
- 3.8.2. All 'for information' copies of Cabinet documentation whether in hard copy or electronic form - remain the property of the Crown and must be returned or securely destroyed prior to the declaration of the polls by the Tasmanian Electoral Commission. By convention, all 'for information' copies are destroyed at the end of the period of administration or when a person ceases to be a Minister.
- 3.8.3. The Cabinet Office retains the full official Cabinet record and can provide access to relevant material to ensure continuity of Government business, in accordance with established practice.
- 3.8.4. Ministers and Ministerial staff must:
 - Return any hard-copy Cabinet documentation (including Cabinet Minutes, Briefings, Decisions, advisories and comments) to the Cabinet Office for destruction.
 - ii. Destroy any electronic Cabinet documentation held locally.
 - iii. Provide written confirmation to the Cabinet Office confirming that this has been completed and that appropriate security protocols were followed.
- 3.8.5. As a standard security and records management measure, access to eCabinet will be revoked for all Ministers and Ministerial staff at the declaration of polls. Access will be restored once a new Government is formed and ministerial arrangements are confirmed.

4. Cabinet Minutes

4.1. Preparing a Cabinet Minute

Cabinet Minute template

Cabinet Minute cover sheet template

4.1.1. Cabinet Minutes must:

- iv. Be presented in the approved format to enable Ministers to focus easily on particular aspects of a proposal;
- v. Present accurate and relevant information to support informed discussion;
- vi. Succinctly and clearly identify the essential issues for consideration;
- vii. Indicate realistic policy options and their implications; and
- viii. Make clear recommendations which 'standalone' so that it is not necessary to refer to the body of the Minute, or to attachments, to clarify the intent of the recommendations.
- 4.1.2. Cabinet Minutes must be lodged in eCabinet by **12 noon ten working days prior** to the intended Cabinet meeting unless <u>Under the Line (UTL)</u> approval is provided.
- 4.1.3. Cabinet Minutes which do not meet standard requirements will be reassigned back to the sponsoring Minister through the eCabinet system for amendment before being placed on a Cabinet agenda.
- 4.1.4. Cabinet Minutes are to be as short as practicable and ideally not exceed six pages (not including attachments).
- 4.1.5. Each Minute must have a completed cover sheet.
- 4.1.6. No cover sheet item is to be left blank. The abbreviation "N/A" is to be used if the item is not applicable.
- 4.1.7. Templates including the Cabinet Minute cover sheet template and Cabinet Minute template must be used and are available on the DPAC Website.

4.1.8. If space is inadequate to give a satisfactory summary for any of the cover sheet headings, reference is to be made to the relevant paragraph number(s) in the body of the Minute or to an annexe or attachment where further details are provided.

4.2. Lodgement of Cabinet Minutes

- 4.2.1. All Cabinet Minutes must be lodged in the eCabinet system, following signing by the sponsoring Minister(s), by 12 noon at least ten working days prior to the date on which they are to be considered by Cabinet. This is known as the Ten-Day Rule.
- 4.2.2. This allows Cabinet Office to process the submission, obtain consultation comments from impacted agencies and formal advisories from DPAC and Treasury, and provide Cabinet members sufficient time to prepare.
- 4.2.3. Departments must request approval to submit late Cabinet Minutes. See section 7 <u>Late lodgement of Cabinet submissions</u> for more information.

4.3. Drafting considerations

- 4.3.1. Cabinet submissions are lodged in the eCabinet system by ministerial offices once approved by the responsible Minister(s). Departments are responsible for drafting and internal approvals prior to lodgement, in line with their own internal processes.
- 4.3.2. Agencies are expected to share draft Cabinet submissions with central agencies, and impacted agencies where appropriate, as early as possible.
- 4.3.3. Sharing of draft submissions helps to identify and address potential issues, ensures alignment with broader policy and fiscal objectives, and supports a smoother Cabinet process. Central agencies can assist with the resolution of any outstanding issues, or any issues that may arise during the drafting process.
- 4.3.4. Cabinet submissions must be based on sound policy advice that is practical, strategic, and relevant. The purpose should be clearly stated, supported by all necessary facts, and presented logically and concisely.

- 4.3.5. Recommendations must be self-contained, clear and able to stand alone, as they form the basis of the Cabinet decision. Avoid referencing back to the body of the Minute or attachments to clarify the intent.
- 4.3.6. Submissions must only reference decisions made by the current Cabinet. If the same matter has been previously considered, cite the relevant decision number and date. Do not quote or attach documents from a previous government—summarise them in general terms if relevant.
- 4.3.7. Clearly reference any policy commitments made by the current Government that relate to the proposal. These must be specific and demonstrate alignment with the Government's strategic priorities. Vague references (e.g., "consistent with the Economic Strategy") are to be avoided.
- 4.3.8. Use graphs, tables or visuals where appropriate to support clarity. Explain how Cabinet should interpret them.
- 4.3.9. Present options for Cabinet's consideration, including the preferred option. Provide a brief and balanced analysis of each option's advantages and disadvantages.
- 4.3.10. Avoid presenting binary "accept" or "reject" options unless no other viable alternatives exist. Where possible, include meaningful options for decision-making.
- 4.3.11. All submissions must be signed by the sponsoring Minister(s) before upload to eCabinet. For joint submissions, signatures of all sponsoring Ministers are required, with the document dated when the last signature is provided.

4.4. Attachments to Cabinet Minutes

- 4.4.1. Reports or other printed material attached to a submission do not need to be retyped to meet the style guidelines referred to in this handbook.
- 4.4.2. All attachments to Cabinet Minutes, other than those shown as standard annexes, must be itemised in a list at <u>Annexe 10</u> showing the attachment number and title.
- 4.4.3. Attachments are to be clearly identified by number (for example, Attachment 1) at the top right-hand corner of the first page.

- 4.4.4. Attachments must use correct <u>Naming Conventions</u> that clearly reflect their content (e.g. Att 1 Sizing Statement Hydro Tasmania Board). Ensure the attachment number used aligns with Cabinet numbering conventions, not internal or "Minute to the Minister" formats.
- 4.4.5. Any reference in the body of a submission to an attachment must clearly identify the attachment and, if appropriate, the page number, paragraph, or table number.

4.5. Annexe statements

- 4.5.1. Annexe statements are attached after the body of the Minute, following the Minister's signature block. There are nine statements which provide Cabinet with specific advice across key strategic policy considerations.
- 4.5.2. The <u>Cabinet Minute template</u> and proformas (where specific information is required) have been developed and must be used for each statement. Failure to provide this information may result in Cabinet Office reassigning the Cabinet Minute back to the relevant ministerial office for possible return to the originating department for amendment.
- 4.5.3. If there is no impact/relevant information, the Cabinet Minute should simply state that there are no impacts. Headings for each of the statements must not be deleted.
- 4.5.4. Information must be provided for each annexe statement, or alternatively, clearly indicate that this particular aspect of policy is not impacted. Details about what is required are listed below and in the Cabinet Minute template:

Impact statement	Guiding advice
6.1 Financial Impact Statement	 Template: Financial Impact Statement All Cabinet Minutes require consultation with Treasury. Minutes seeking additional funding won't be considered without Treasury evaluation. Do not submit proposals with a net cost under 0.5% of departmental discretionary expenditure. Clarify requirements with Treasury if unsure. Cabinet may refer funding matters to the Budget Committee before making a final decision. If there are no financial implications, state this clearly in Annexe 6.1—no need for the Budget Impact proforma. If there are financial implications, include in Annexe 6.1: A clear explanation, The completed proforma showing revenue/expenditure impacts over the current and next three financial years. Only the Treasurer can approve funding; Treasury provides assessment and advice.
6.2 Economic and Employment Impact Statement	 Outline how the proposal supports Tasmania's economy, including specific regions, industries or groups. Address impacts on: Business certainty and investment, Economic growth in key sectors (e.g. agriculture, tourism, energy), Workforce skills and employment opportunities. Discuss any negative effects on businesses and how they will be mitigated. For major procurements, explain how Tasmanian business competitiveness will be assessed or improved. Include enterprise-level and broader economic/employment impacts. Consult Tasmanian businesses where relevant.
6.3 Social/Community Impact Statement	 Detail impacts on the wellbeing of diverse Tasmanian communities and priority cohorts including: Children and young people; Older Tasmanians; People of culturally and linguistically diverse backgrounds; Rural and isolated communities; People with disability; Unpaid carers; LGBTIQA+ Tasmanians; Veterans; and Economically and socially disadvantaged Tasmanians. Individuals often belong to more than one cohort, and impacts may be compounded as a result. Consider how your proposal may impact health and wellbeing, access to services, participation in the community and the economy, both positively and negatively. Consider measures to reduce the negative impacts identified, including how these measures will be implemented and monitored.

6.4 Legislative and Regulatory Impact Statement	 Include this if legislation or regulations are proposed or amended. Complete the <u>Legislation Drafting Checklist</u> (include at 7. Other attachments). Confirm compliance with the Legislation Review Program (LRP). If restrictions on competition or major business impacts arise, explain public interest justification. If a Regulatory Impact Statement (RIS) was prepared, attach it under Other Attachments. Treasury can advise on LRP requirements.
6.5 Intergovernmental Impact Statement	 If the proposal affects local government, the Commonwealth, or other jurisdictions, detail: Entities consulted and outcomes; Operational or financial impacts; Any implementation capacity issues; Further consultation plans and communication strategy; and How implementation will be monitored.
6.6 Community Consultation and Communications Strategy	 Outline consultation needs and communications plan (aligned with the Tasmanian Government Framework for Community Engagement). Use the <u>DPAC communications strategy template</u> or department-approved format. Include a draft media release or state when it will be available and who is responsible. Cabinet Minutes needing a communication strategy will not proceed without Communications Manager approval. Reference the strategy on the cover sheet and attach under Other Attachments.
6.7 Prior Consultation Statement	 Summarise consultations undertaken before eCabinet lodgement. List consulted bodies and outcomes (e.g. support, unresolved issues). Describe proposed resolution of outstanding matters.
6.8 Tasmanian Brand Statement	Describe how the proposal supports Tasmania's brand identity and mitigates any risks to the brand.
6.9 National Agreement on Closing the Gap Statement	Identify if the proposal supports Closing the Gap priority reforms or improves outcomes for Aboriginal Tasmanians.
Other Attachments	 List and label all attachments (e.g. 'Att 1', 'Att 2'), including: Communications strategy; Legislation Drafting Checklist; and Regulatory Impact Statement. Electronic documents may be attached without reformatting.

5. Legislative Minutes

5.1. Preparing a Legislative Minute

Legislative Minute template

Legislative Minute cover sheet template

Legislative Checklist

- 5.1.1. Legislative Minutes are used to assist with the approval and drafting of Legislation and to provide Cabinet with the opportunity to collectively agree on Legislative priorities.
- 5.1.2. Consultation and drafting must not occur at the same time, except in exceptional circumstances. Approval to consult on proposed legislation must be sought through a Cabinet Minute, while approval to draft legislation is obtained through a Legislative Minute.
- 5.1.3. A Legislative Minute is to:
 - i. Be put in general terms and focus on the result of the proposed legislation;
 - ii. Not seek to lock in specific drafting approaches or, worse, specific wording or formatting for that legislation; and
 - iii. Propose recommendations that capture the nature of the legislative change and stand alone, i.e. not refer to attachments.
- 5.1.4. It is the Office of Parliamentary Counsel's (OPC) responsibility to determine the best way of drafting Bills and in so doing it must have regard not only to legal considerations but also to such things as drafting conventions, constitutional requirements, Parliamentary Standing Orders and the technicalities of OPC's drafting software. This calls for considerable judgment, and sometimes the best approach may not become clear until the drafting process is underway.
- 5.1.5. However, the terms of a Cabinet Decision are prima facie binding so it is problematic for all concerned if Cabinet endorses a particular drafting approach that cannot be implemented or is implemented in a manner that is less than ideal.
- 5.1.6. A Cabinet Decision that is too specific may prevent the full implementation of the proposed amendments and may also prevent necessary transitional and consequential amendments from being made.
- 5.1.7. Prior to endorsing a Bill for introduction to Parliament, the <u>Final Bill</u>

 <u>Briefing</u> is compared to the authority provided in a Legislative Minute to ensure Legislation is drafted in accordance with the relevant Legislative

Minute's Cabinet Decision.

- 5.1.8. The Chief Parliamentary Counsel must be consulted regarding the timeframes for drafting Legislation as early as possible. Consultation must occur prior to the Legislative Minute being submitted to eCabinet.
- 5.1.9. Legislative Cabinet Minutes must:
 - i. Be presented in the approved format to enable Ministers to focus easily on particular aspects of the proposal;
 - ii. Put forward facts upon which discussion can proceed;
 - iii. Reference transitional or consequential amendments if appropriate; and
 - iv. Identify clear timeframes that include:
 - Date the drafting instructions are due to OPC;
 - Proposed date for the draft final Bill to be presented to Cabinet;
 - Proposed tabling date for introduction of the final Bill into the Parliament; and
 - Proposed consultation timeframe.
- 5.1.10. No cover sheet item should be left blank. The abbreviation "N/A" is to be used if the item is not applicable.
- 5.1.11. If space is inadequate to give a satisfactory summary for any of the cover sheet headings, reference is to be made to the relevant paragraph number(s) in the body of the Minute or to an annexe or attachment where further details are provided.

5.2. Lodgement of Legislative Cabinet Minutes

- 5.2.1. All Legislative Cabinet Minutes must be lodged into the eCabinet system, following signing by the sponsoring Minister(s), by **12 noon at least ten working days prior** to the date on which they are to be considered by Cabinet. This is known as the Ten-Day Rule.
- 5.2.2. This allows Cabinet Office to process the submission, obtain consultation comments and formal advisories, and provide Cabinet members sufficient time to prepare.
- 5.2.3. Departments must request approval to submit late Cabinet Minutes.
 See section 7 <u>Late lodgement of Cabinet submissions</u> for more information.

6. Cabinet Briefings

6.1. Preparing a Cabinet Briefing

Information Briefing template
Briefing cover sheet

6.1.1. Cabinet Briefings are used to present information to Cabinet for noting only. They are not used to seek approval for a course of action (an exception to this are Appointments, which are submitted to Cabinet for endorsement before an appointment is made). Any matter that requires a decision must be submitted as a Cabinet Minute.

6.1.2. Briefings must:

- i. Be signed by the sponsoring Minister(s)
- ii. Include a completed Briefing cover sheet
- iii. Follow the format specified for the relevant Briefing type (e.g., appointment, final bill, committee, information)
- 6.1.3. Briefings should be concise and structured clearly. Most use the following headings:
 - i. Purpose why the information is being provided to Cabinet
 - ii. Background relevant context and previous Cabinet consideration (current term only)
 - iii. Information key facts or details, clearly presented
- 6.1.4. If the Briefing does not meet formatting or content standards, Cabinet Office may return it for amendment.

6.2. Lodgement of Cabinet Briefings

6.2.1. Once signed by the Sponsoring Minister(s), Cabinet Briefings must be lodged through the eCabinet system by 12 noon least five calendar days (not including public holidays) prior to the intended Cabinet meeting.

- 6.2.2. This deadline allows for Cabinet Office to:
 - i. Process the Cabinet submission;
 - ii. Obtain written advisories and comments; and
 - iii. Provide time for members of Cabinet to be briefed and to become familiar with the issues on the Cabinet agenda.
- 6.2.3. Departments must request approval to submit Cabinet Briefings under five calendar days. See section 7 – <u>Late lodgement of Cabinet</u> submissions for more information.

6.3. Appointment Briefings

- 6.3.1. There are three types of appointment briefings that must be submitted to Cabinet for endorsement before an appointment is made:
 - Member/Director and Chairperson appointments to government boards, authorities and committees;
 - ii. Proposed appointments, re-appointments, or consecutive appointments to senior positions (see section 6.5 for further information); and
 - iii. Proposed appointment or re-appointment of CEOs of a Government Business Enterprise (GBE) or State-owned Company (SOC).
- 6.3.2. All Appointment briefings use the standard <u>Briefing cover sheet</u> template.

6.4. Government Boards, Authorities and Committees

Board Appointment briefing template

- 6.4.1. Whilst proposed board appointments are prepared as Briefings, there is usually an action-based recommendation made to Cabinet (to endorse the nomination).
- 6.4.2. All appointments are to include a brief outline of the selection process and significant reasons for selecting the recommended candidate(s).
- 6.4.3. Re-appointments, including re-appointments of directors of government businesses, must be submitted to Cabinet in the same way as initial appointments. If the appointment is to fill a forthcoming vacancy, the

- name and expiry date of the incumbent must be noted in the Briefing.
- 6.4.4. All Briefings for proposed board appointments must include a sizing statement no older than 12 months prepared by DPAC. Sizing statements indicate the category and recommended remuneration for members of boards. Drafting new sizing statements or updating existing sizing statements is the responsibility of DPAC Executive Government Services. For any queries relating to this matter please contact Executive.Services@dpac.tas.gov.au.
- 6.4.5. Board appointment Briefings must specify the existing and proposed number of male and female members on the board or committee and whether the Tasmanian Women's Register has been consulted to identify suitable women candidates. An explanation as to why the register was not consulted must be provided in the Briefing.
- 6.4.6. A completed <u>Tasmanian Women's Register Appointment Certification</u>

 <u>Form</u> must be included with the Briefing regardless of the number of women being appointed and/or the number of women on the board.

 Briefings that do not comply will not be submitted to Cabinet.
- 6.4.7. If there is a statutory obligation for consultation concerning the nomination for appointments, the Briefing is to include a clear statement that this obligation has been met.
- 6.4.8. The Minister is required to assure Cabinet that the nominees have no business or personal interest, real or perceived, which might conflict with the interests of the board, authority or committee to which appointment is proposed. Departments must check with candidates that no such conflict of interest exists prior to submitting the list of nominees to the Minister.
- 6.4.9. It may be appropriate to attach a list of short-listed candidates to support an appointment to Government Boards, Authorities or Committees.

6.5. Senior and Statutory Office Appointments

Senior Appointment Briefing template

- 6.5.1. Cabinet requires advice about any proposed appointment or reappointment, or consecutive appointments to senior positions. Senior positions are statutory offices, prescribed offices and any office created under section 29 of the <u>State Service Act 2000</u>, that is remunerated at SES Level 3 or above (including Magistrates, Judges, Police Commanders, Deputy or Assistant Police Commissioners).
- 6.5.2. Proposed senior appointments are prepared as a one-page Briefing. In the case of a proposed new appointment, the Briefing is to include the following information:
 - i. Name of the department and position title;
 - ii. Name of the successful applicant (appointee), their curriculum vitae or description of their work history;
 - iii. Period of appointment, including starting date;
 - iv. Remuneration and conditions (e.g., SES Level or in accordance with the relevant Act);
 - v. Outline of the recruitment process;
 - vi. Significant reasons why the applicant was selected;
 - vii. Whether appointment by Governor in Council is required; and
 - viii. Any publicity or timing of announcement.
- 6.5.3. It is not necessary or appropriate to attach the appointee's full written application.
- 6.5.4. Note that there are cases where senior appointments do not need to go to Cabinet for endorsement prior to the relevant Minister's consideration and signing. These include:
 - i. short-term extensions to appointments*; and
 - ii. an existing SES officer moving to another existing SES position at the same level under the My Mobility program, and within their current Instrument of Appointment*.
 - *These situations can be quite specific, so if anything is unclear, feel free to contact us.

6.6. Government Business Enterprise and State-Owned Company

Proposed Government Appointment – GBE and SOC template

- 6.6.1. Cabinet requires advice of any proposed appointment or re- appointment of CEO of a GBE or SOC.
- 6.6.2. Proposed CEO appointments are prepared as a one-page Briefing.
- 6.6.3. In the case of a proposed appointment the Briefing should include the following information:
 - i. Name of the GBE or SOC and the position title;
 - ii. The name of the successful applicant, their curriculum vitae or a description of their work history;
 - iii. Period of appointment, including start date;
 - iv. A brief outline of the selection process and who they will be appointed by;
 - v. Remuneration and conditions (including remuneration and conditions and remuneration table) within the Approved CEO Total Remuneration Band;
 - vi. Whether Crown Law has reviewed the draft instrument/contract;
 - vii. The urgency of the appointment;
 - viii. Any consultation undertaken regarding the appointment;
 - ix. Publicity, including any support/criticism expected; and
 - x. Recommendations.

6.7. Final Bill Briefings

Final Bill Briefing template

- 6.7.1. All Government Bills are returned to Cabinet for endorsement prior to their introduction into the Parliament.
- 6.7.2. The Legislation Briefing format should be used when the terms of the final Bill fully comply with the Cabinet Decision that authorised drafting.
- 6.7.3. Final Bill Briefings submitted for Cabinet consideration must use the version drafted by <u>OPC</u>. The version endorsed by Cabinet must be identical to the one signed by the Minister.
- 6.7.4. Bills which include policy amendments not previously approved by Cabinet must be presented as a Cabinet Minute (and will be subject to the normal ten-day lodgement requirements).
- 6.7.5. If a Regulatory Impact Statement was prepared in accordance with the Legislation Review Program, this should be included as an attachment to the Briefing along with the Final Bill.
- 6.7.6. Departments must also attach a Parliamentary Package which includes:
 - i. Clause notes:
 - ii. Second reading speech; and
 - iii. Fact sheet.
- 6.7.7. Final Bill briefings use the standard Briefing cover sheet template.

6.8. Cabinet Committee Briefings

Committee Briefing template

- 6.8.1. The Committee Briefing format must be used when presenting Committee decisions and papers to Cabinet for endorsement.
- 6.8.2. A summary of the committee decisions is to be included in the Briefing.
- 6.8.3. A full set of Committee papers is to be submitted to the Cabinet Office for record keeping, however, only the Decisions go to Cabinet for endorsement.
- 6.8.4. Note that Committee Papers and proceedings are available from the Cabinet Office for the Information of the Minister.

6.9. Cabinet Briefings with Communications Strategies

Communications strategy

- 6.9.1. Discretion should be used when deciding if a communication strategy is required. Most board appointments, for example, do not require a communications strategy.
- 6.9.2. Information contained in the communications strategy is to be referenced on the <u>Cabinet Briefing cover sheet</u>.
- 6.9.3. If a communications strategy is required for a Cabinet Briefing, it is to be included as an attachment.
- 6.9.4. Draft text for a media release (if required), is to be included with the communications strategy. If a draft release is not available, indicate when it will be and who is responsible for drafting it.

7. Late Lodgement of Cabinet submissions

7.1. Timeliness of Cabinet submissions

- 7.1.1. To ensure that appropriate consultation (comments and advisories) can occur, and Ministers are afforded sufficient time to consider and deliberate on matters coming before Cabinet, adherence to lodgement deadlines is required.
- 7.1.2. Appropriate approval is required in instances where matters require a late submission to Cabinet.
- 7.1.3. Cabinet Office is to be advised as soon as it becomes apparent that Cabinet may need to consider an issue Under the Line (UTL), and that an application for late lodgement is forthcoming. Early notification to Cabinet Office is vital to ensure the submission is included on the Cabinet agenda and support the advisory and comment process.
- 7.1.4. Cabinet items received after 5pm the business day prior to the Cabinet meeting, may not be processed and distributed through eCabinet prior to the meeting.
- 7.1.5. When it becomes apparent that a Cabinet submission will be lodged late, it is essential that draft versions are shared with impacted agencies as early as possible. This early engagement helps mitigate the risks associated with late lodgement, to identify and resolve policy or fiscal issues, or confirm alignment with whole of government priorities. Failure to consult early may result in incomplete or delayed consideration by Cabinet.

7.2. Request for late submission

- 7.2.1. Requests for late submission, either under ten working days for a Cabinet Minute, or under five calendar days for a Cabinet Briefing, must be sought using the Request for Late Lodgement form.
- 7.2.2. The completed Request for Late Lodgement form must be submitted by the responsible Ministers Office to the Cabinet Office who will liaise with the Cabinet Secretary (or delegate) and Premier (or delegate) for approval before the submission can progress.
- 7.2.3. Once the late lodgement form has been approved, the form and the Cabinet submission must be lodged by the relevant ministerial office through the eCabinet system to Cabinet Office so it can be processed for the Cabinet meeting. The signed late lodgement form should be submitted in the Supporting documents section.
- 7.2.4. Ministerial offices will not have the capability to select the meeting date for a late submission in eCabinet where the due date has passed and are to leave the date of the meeting blank for Cabinet Office to select the date once the meeting date for lodgement has been confirmed.
- 7.2.5. Wherever possible, early engagement with DPAC and Treasury about a late submission is recommended to ensure appropriate advice can be provided to Cabinet members to support government decision-making.
- 7.2.6. When late submission will occur, early engagement with DPAC, Treasury, and other impacted agencies, including sharing drafts, will ensure appropriate advice can be provided to Cabinet.

8. Consultation

8.1. Consultation on Cabinet Submissions

- 8.1.1. Early and genuine consultation is essential to informing Government decision making through the cabinet process. Agencies must consult all relevant departments and stakeholders during drafting and implementing Cabinet decisions.
- 8.1.2. It is important that adequate time is allowed for departments to examine and respond to issues identified during the consultation process.
- 8.1.3. Agencies must consult all government stakeholders with an interest in or likely to be affected by the proposal. External stakeholders (e.g. local government, industry, community bodies) are also to be consulted where appropriate. However, Cabinet documents—draft or final—must not be shared outside government. If necessary, concepts may be discussed with external parties without disclosing Cabinet material.
- 8.1.4. As part of prior consultation, agencies are expected to share draft Cabinet submissions with impacted agencies as early as possible. This help to identify and address potential issues, ensures alignment with broader policy and fiscal objectives, and supports a smoother Cabinet process.
- 8.1.5. Relevant Ministers must also be consulted on significant Cabinet submissions prior to the meeting at which the submission is to be considered.
- 8.1.6. Details of consultation, including the issues raised and actions taken, must be recorded in Annexe 6.7 of the Cabinet Minute template.
- 8.1.7. Departments, in consultation with their sponsoring Minister, determine the range of prior consultation to be undertaken in the preparation of a Cabinet submission. However, DPAC, Treasury, and OPC (for legislation related matters) must be engaged for assessment and drafting of advice from a whole-of- government perspective.
- 8.1.8. Cabinet Briefings typically require limited consultation beyond DPAC and Treasury unless otherwise determined. For board appointments, refer to <u>section 8.3 regarding specific consultation requirements</u> (e.g. Women on Boards Strategy).

8.2. Cabinet advisories and comments

- 8.2.1. Once signed by the portfolio Minister, submissions are lodged with Cabinet Office for circulation through the eCabinet system. Cabinet Office coordinates the request for formal advisories and comments from relevant departments.
- 8.2.2. DPAC and Treasury prepare advisories on Cabinet items requiring decisions. These advisories provide whole-of-government analysis, identify any unresolved issues and support sound decision-making. Other impacted agencies also prepare comments, outlining portfolio specific input. Cabinet Office collates and includes all advisories and comments in the final submission.
- 8.2.3. Cabinet Office collates and includes all advisories and comments in the final submission.
- 8.2.4. These requests can be accessed in eCabinet to provide input on matters relevant to their Minister's portfolio.
- 8.2.5. Submissions marked OFFICIAL: Sensitive//TAS

 CABINET//EXCLUSIVE FOR are restricted to the designated Minister or addressee and must not be redistributed.
- 8.2.6. Submissions lodged UTL may not be circulated for formal advisories and comments due to time constraints. Similar situations may limit agencies ability to provide input and may result in Cabinet considering proposals without the benefit of whole-of-government advice.

8.3. Consultation specific to board appointments

- 8.3.1. Consultation is required for Briefings on appointments to government boards, authorities and committees (board appointments) if:
 - The body is established by legislation and there is a requirement to consult with specified bodies concerning nominations for appointment; or
 - ii. There is a gender imbalance in the proposed membership of the board, authority, or committee.

- 8.3.2. Nominees for appointment are to be consulted to ensure that they have no business or personal interest, real or perceived, which might conflict with the interest of the board, authority, or committee.
- 8.3.3. The Tasmanian Government is committed to gender equity in the membership of government boards and committees. The <u>Gender</u> <u>Equity Guidelines</u> and the <u>certification form template</u> are on the <u>DPAC</u> <u>website</u>.
- 8.3.4. Departments must consult with the <u>Tasmanian Women's Register</u> at an early stage of the process of seeking nominations for appointment. DPAC maintains the register to assist departments identify suitably skilled and/or qualified women candidates for appointment.
- 8.3.5. All board appointments must include a completed <u>Tasmanian Women's</u> Register Appointment Certification Form.
- 8.3.6. Cabinet Office will not accept a Cabinet Briefing for board appointments unless the Briefing includes a completed and signed certification form, or the Premier has approved an exemption for the specific appointment.
- 8.3.7. When a vacancy is to be filled by the nomination of a non-government organisation, the responsible department must ensure that the organisation is informed of government's commitment to gender equity and should request appropriate consideration is given to the representation of women when nominating for appointment.
 Organisations may be referred to DPAC for assistance in locating suitable candidates.

9. Format Requirements for Cabinet Minutes and Briefings

- 9.1.1. The format of the <u>Cabinet Minute</u> and <u>Briefing</u> templates must not be changed in any way.
- 9.1.2. Section headings in the templates are considered the essential areas on which Cabinet wishes to focus. The abbreviation N/A is to be used if the item is not applicable.
- 9.1.3. The font used for Minutes and Briefings must be Arial, font size 12 pt.
- 9.1.4. The page number must be shown on each page of the submission, beginning with page 2 on the first page following the front cover sheet.
- 9.1.5. Use a distinct numbering system (e.g., A1, A2) for attachments.'
- 9.1.6. Each paragraph must be numbered, using a hierarchical system, as applied in this handbook (e.g., Purpose 1.1, 1.2). Sub-paragraphs may be tagged separately (e.g., 1.1.1, 1.1.2).
- 9.1.7. Tables and schedules should be numbered Table 1, Table 2, etc, throughout a submission. Each table and schedule must have a title describing its contents.
- 9.1.8. Acronyms should be spelt out in full the first time they appear, e.g., World Heritage Area (WHA).
- 9.1.9. All Cabinet submissions must follow the <u>approved naming conventions</u> and be submitted in PDF format only.

10. Cabinet Decisions

- 10.1.1. Cabinet decisions are recorded by the Cabinet Secretary during each Cabinet meeting. A copy of each decision is signed by the Cabinet Secretary and the Premier (or their delegate).
- 10.1.2. Cabinet Office will assign a copy of the signed decision through the eCabinet system to the relevant portfolio Minister(s), initiating department, and other ministers/departments responsible for implementing, or that are affected by, the decision.
- 10.1.3. The Minister and the relevant portfolio agency are responsible for informing and liaising with other agencies to implement the decision.
- 10.1.4. Decisions relating to legislation are also distributed to the Chief Parliamentary Counsel through the eCabinet system.
- 10.1.5. All Cabinet decisions will be provided electronically to the Secretary, DPAC and Secretary, Department of Treasury and Finance.
- 10.1.6. Additionally, all Decisions for Cabinet Minutes and Briefings (except Appointment Briefings) will be provided electronically to the Executive Director Policy and Intergovernmental DPAC (with the exception of OFFICIAL: Sensitive//TAS CABINET//EXCLUSIVE FOR).
- 10.1.7. 'For information' copies of decisions include all copies of Cabinet records that are not the original records retained by the Cabinet Office. These include copies of Cabinet decisions sent to ministers and departments that are either responsible for implementing or affected by the decision. These documents are classified as short- term value records for the purposes of the Archives Act 1983 and may be securely destroyed. See section 2.4 for information about secure disposal of Cabinet documents.
- 10.1.8. Cabinet decisions must not be printed or copied and must be kept in a secure system and not with general departmental files. If it is necessary to provide information relating to the decision to department officers, appropriate approvals must be given by departments Heads of Agency (or as delegated otherwise).

- 10.1.9. When a Cabinet decision is accessed for download, a watermark will be applied to the digital document detailing the individual's first and last name, email address, date and time. The watermark containing the details of the user who downloaded the document will be present on any digitally saved or printed copies originating from this access. See section 2.4 for information about secure_disposal of Cabinet documents.
- 10.1.10. If a submission is classified as 'OFFICIAL: Sensitive//TAS

 CABINET//EXCLUSIVE FOR'. the decision is subject to limited distribution and must be accessed by the designated Minister or addressee only.

11. Cabinet Committees

- 11.1.1. Cabinet may establish committees for a range of purposes, with such membership and terms of reference as are considered necessary. Committees might be set up to:
 - i. Deal with specific or especially sensitive issues;
 - ii. Progress controversial developments where discussion in full Cabinet would be premature (e.g., projects);
 - iii. Consider matters expected to arise requiring urgent decisions (e.g., industrial relations matters);
 - iv. Deal with ongoing major issues or processes involving detailed decisions (e.g., the Budget); and
 - v. Routine matters requiring the attention of Ministers (e.g., legislative program).
- 11.1.2. There are two forms of Cabinet committee:
 - i. Standing committees: which deal with long-term and cross-portfolio issues requiring detailed consideration and development prior to Cabinet approval of proposals. Some standing committees might deal with cyclic government decision-making processes (for example, Budget Committee) or meet on an ad-hoc basis to handle specific emerging issues; and
 - ii. Special purpose committees: are established to make recommendations to Cabinet on particular issues or projects, usually within a limited timeframe.

11.1. Establishment of committees

- 11.1.1. Committees are established by Cabinet through a Cabinet Decision which defines the membership and terms of reference. In some cases, supporting arrangements, such as an IDC or departmental working group, support department, reporting arrangements and timeframes for the Committee's work are also set by Cabinet.
- 11.1.2. Unless otherwise specified, it is the responsibility of the Minister nominated to chair the committee to implement the Decision and convene meetings, with support from their portfolio department.

11.2. Operation of committees

- 11.2.1. Secretariat support for a committee is normally provided by the portfolio department of the Minister chairing. As part of the role of chair, the Minister would convene the meetings and set the agenda for each meeting.
- 11.2.2. The support department's role includes:
 - Making arrangements (time, venue etc) for meetings and notifying Ministers;
 - ii. Liaising with the Minister's office and other departments about the meeting agenda and preparation of supporting materials:
 - iii. Collating and distributing papers for each meeting;
 - iv. Recording actions and decisions (as with Cabinet, the keeping of detailed minutes is not required or recommended); and
 - v. Coordinating action arising from decisions, as directed by the Minister.
- 11.2.3. Depending upon the arrangements specified in the establishing Cabinet Decision, an IDC chaired by the supporting department is to be set up to assist in coordinating preparation for and follow-up from Committee meetings. Portfolio departments of all Ministers on the committee should be represented on the IDC.
- 11.2.4. Detailed meeting procedures are a matter for each Committee to determine, within the broad parameters of this handbook.

11.3. Committee papers

- 11.3.1. Although there is no one format specified for Committee papers, they should:
 - Clearly identify the issue(s) to be resolved;
 - ii. Provide any background information needed to enable the Committee to make an informed decision;
 - iii. Present and argue the major options available; and
 - iv. Provide clear recommendations that can translate into stand-alone

decisions.

- 11.3.2. An example <u>Committee Papers template</u> is provided on the DPAC website, which committees may choose to adopt.
- 11.3.3. Meeting papers are to be finalised and distributed to Ministers by the supporting department at least five working days prior to the meeting date. A complete set of the meeting papers must be provided to the Cabinet Office via email.

11.4. Cabinet committee decisions

- 11.4.1. The record of each Committee meeting must clearly identify all decisions taken. Each of these decisions should be clearly articulated, numbered and dated.
- 11.4.2. All decisions of committees are to be referred to Cabinet for endorsement using the <u>committee briefing template</u>. This must be undertaken in the form of a <u>Cabinet Briefing</u> seeking endorsement for the set of decisions from a particular committee meeting or set of meetings, following approval of those decisions by the committee itself.
- 11.4.3. Cabinet may provide a limited delegation of authority to a committee to act in specific circumstances or in cases where a decision is required in a short timeframe. In such cases, the Committee is to report back to Cabinet on the action taken.
- 11.4.4. Note that Committee Papers and proceedings are available from the Cabinet Office for the Information of the Minister.

11.5. Storage and disposal of committee papers

- 11.5.1. Committee papers are to be accorded the same security procedures as used for Cabinet documents (See section 2.4 for information about secure disposal of Cabinet documents).
- 11.5.2. Committee documents must be clearly identified.
- 11.5.3. The supporting department of a committee must provide a copy of all committee business papers to the Cabinet Office for the purpose of archiving. This would normally occur when decisions are forwarded to Cabinet for endorsement.

12. Other Cabinet Matters

12.1. Executive Council Explanatory Note

Explanatory note template

- 12.1.1. An Executive Council Explanatory Note is used to advise Cabinet of an upcoming matter which require Executive Council approval but have not already been considered by Cabinet.
- 12.1.2. An Executive Council Explanatory Note is classified as a Cabinet document.
- 12.1.3. Explanatory Notes are to be considered by Cabinet prior to consideration of the matter by the Executive Council. Explanatory Notes are usually considered at the Cabinet meeting held the week prior to a scheduled Executive Council meeting.
- 12.1.4. An Explanatory Note is not required when Cabinet has already noted or approved a matter as a result of a Cabinet Submission (for example an Appointment Briefing).
- 12.1.5. An Explanatory Note must be signed by the relevant Minister before it is submitted to Cabinet Office.
- 12.1.6. An Explanatory Note includes the title, purpose and background of the matter being considered by the Executive Council. They are usually 1-2 pages long and there must be no additional attachments to the Explanatory Note.
- 12.1.7. Explanatory Notes must be submitted to Cabinet Office by the close of business the Thursday prior to a Cabinet meeting. For example, if a scheduled Executive Council meeting is set for Monday 9 July the Explanatory Note to Cabinet must be considered at the Cabinet Meeting prior to the Executive Council Meeting. For example, this would be Monday 2 July and would therefore need to be submitted to the Cabinet Office by Friday Thursday 28 June.

12.2. Tasmanian Government Submissions to Inquiries and Reviews

- 12.2.1. Policy and Intergovernmental DPAC coordinates a whole-ofgovernment process for managing Tasmanian Government submissions to inquiries, reviews and other significant consultation processes.
- 12.2.2. Invitations to participate in these processes are received from various sources, including:
 - i. Parliamentary committees (both State and Federal);
 - ii. Royal Commissions and Commissions of Inquiry;
 - iii. Australian Government agencies; and
 - iv. Non-government organisations.
- 12.2.3. Advice is provided to Cabinet on a weekly basis on the merits of preparing Tasmanian Government submissions to these inquiries and reviews. Submissions are only prepared if they offer strategic value to the Tasmanian Government or if they help to reduce significant risks to Tasmania.
- 12.2.4. The <u>Tasmanian Government Submissions to Inquiries and Reviews</u>

 <u>Policy</u> sets out the policy, procedures and approval process for

 Tasmanian Government submissions to inquiries and reviews and
 provides departments with a framework for assessing whether or not a
 submission should be made.

Appendix A: ADDENDUM

TO CABINET HANDBOOK NATIONAL CABINET

The Addendum sets out the secure and confidential handling requirements for documents associated with National Cabinet.

1. Background

- 1.1. The National Cabinet was established by the Council of Australian Governments 48th Meeting to deal with the national response to the coronavirus pandemic (COVID-19) to ensure a coordinated response across the country to the many issues that relate to the management of COVID-19.
- 1.2. The National Cabinet comprises the Prime Minister of Australia, and all the Premiers and Chief Ministers of states and territories.
- 1.3. Each state and territory that is represented on the National Cabinet is completely sovereign and autonomous. However, states and territories have agreed to work together and be unified and to be as consistent and coordinated as possible in our national response.
- 1.4. The National Cabinet meets as required and generally at least once a week.
- 1.5. The National Coordinating Mechanism (NCM) and the Australian Health Protection Principals Committee (AHPPC) are subcommittees of the National Cabinet.
- 1.6. The NCM comprises senior officials of Australian, states and territories governments. The NCM will coordinate the whole-of-government responses to issues outside the direct health management of COVID-19. Topic-specific NCMs are also convened as necessary.
- 1.7. The principal advising body to the National Cabinet is the AHPPC, which comprises senior medical officers of states and territories. The medical advice of the AHPPC is the basis for the protocols, the guidelines and the decisions made by the Prime Minister, Premiers and Chief Ministers, together with their respective Cabinets.

2. Tasmanian Membership

- 2.1. The Premier is Tasmania's representative on the National Cabinet. The Premier may delegate another Minister to represent Tasmania on the National Cabinet as needed.
- 2.2. In representing Tasmania on the National Cabinet, the Premier (or delegate Minister) will be supported by the Secretary, Department of Premier and Cabinet (DPAC).
- 2.3. The Secretary, DPAC may delegate the Deputy Secretary, Policy and Intergovernmental Relations (DSPIR) or another Deputy Secretary within DPAC to support the Premier for the National Cabinet, as needed.
- 2.4. The DSPIR is Tasmania's representative on NCMs. The DSPIR can delegate this responsibility to another appropriate Senior Executive Service officer, as needed. Senior officials from other agencies will be invited to participate in NCMs as required.
- 2.5. The Director of Public Health is Tasmania's representative on AHPPC. The Director of Public Health can delegate their responsibility to another member of Public Health, as needed.

3. Confidentiality And Security

- 3.1. The National Cabinet is constituted as a Cabinet Office Policy Committee, as provided for in the 'Australian Government Cabinet Handbook (13th Edition)'. The principles and procedures for the security and handling of Cabinet documents, as set out in that Cabinet Handbook and the Australian Government's Protective Security Policy Framework apply.
- 3.2. To this end all proceedings and documentation associated with the National Cabinet are to be treated as 'CABINET-IN-CONFIDENCE' as if they were proceedings and documentation of the Cabinet of the Government of Tasmania. The restrictions on confidentiality and the handling, storage and security of documents described in the Tasmanian Cabinet Handbook apply to papers associated with the proceedings of the National Cabinet.

4. National Cabinet Papers

- 4.1. To facilitate access to National Cabinet papers, the Australian Government has created two protected Citrix accounts for each state and territory that can be used to access the papers. Essentially this provides an online Outlook email account for two nominated users for each state and territory that will allow them to print or securely share the documents circulated for the National Cabinet.
- 4.2. To be allowed to access the system nominated users have to complete a National Cabinet Systems and Document Handling Agreement.
- 4.3. The nominated Tasmanian contacts for the National Cabinet papers are the DSPIR and the Director of Intergovernmental Relations in DPAC.

- 4.4. Within DPAC, National Cabinet papers may be shared electronically within the existing IT system used for the distribution of Cabinet documents.
- 4.5. National Cabinet papers are allowed to be shared physically or electronically by secure means, approved by either the Secretary or the DSPIR, with relevant Heads of Agencies to provide advice on matters being considered by the National Cabinet.
- 4.6. Heads of Agencies are allowed to share National Cabinet papers or selected information from those papers further within their agencies on a strict need-to-know basis for the purpose of providing advice to the Premier, Ministers and DPAC support officers. The sharing of papers or information is to be consistent with the existing provisions in the Cabinet Handbook concerning the storage and distribution of hard copy and electronic documents, including drafts or working documents.
- 4.7.DPAC's Cabinet and Executive Council Office can share National Cabinet papers and related documents, such as advice, with relevant Ministers consistent with the existing provisions in the Cabinet Handbook.
- 4.8. DPAC will maintain a complete database of National Cabinet papers within the existing IT system used for the storage of Cabinet documents. National Cabinet papers shared with agencies are treated as 'for information' copies of Cabinet documents and are to be destroyed after their use in accordance with Cabinet and Executive Council Office instructions and Disposal Authorisation 2158 for short-term value records.
- 4.9. Documents generated for National Cabinet purposes are Commonwealth records, however, the papers received by Tasmania as part of the National Cabinet process also fall within the State's Cabinet processes and are to be considered and treated as any other document for our Cabinet.

5. National Cabinet Decisions

- 5.1. The Premier, or delegate Minister, is authorised to take decisions on behalf of the Government of Tasmania in relation to matters considered by the National Cabinet, and amend this Addendum, as required.
- 5.2. Decisions made by the National Cabinet at a meeting are recorded by the Australian Government and Tasmania will be provided with that information through the National Cabinet process.