

**PREMIER'S BRIEFING NOTE**

*Governance*

Tracking Folder No. TF/12/8118
Document No. DOC/12/69538
Approved / Not Approved / Noted
Premier ..... <i>[Signature]</i> .....
Date 17.4.2012
Date Action Required by: ...../...../.....
Requested by: ..... (If appropriate)

**To: THE PREMIER**  
**Date: 16 April 2012**  
**Subject: Review of the Ministerial Handbook and the provision of corporate support to the Office of the Leader of the Opposition.**

**• RECOMMENDATION**

It is recommended that you:

- **approve** that a review be undertaken of the Ministerial Handbook and the provision of corporate support to the Leader of the Opposition, in accordance with the attached terms of reference (**Attachment 1**)

CTPI
Sch. 3-2

**• KEY ISSUES**

- Ministerial Services provides corporate support to the Ministerial Offices and the Office of the Leader of the Opposition. The overarching policies and procedures for the operations of these offices are contained in the Ministerial Handbook and the Queensland Opposition Handbook.
- The currency of the Ministerial Handbook (the Handbook) in its present form has been raised as an issue. The Handbook sets out all ministerial office policies, procedures, reasonable limits and examples.

Sch. 3-2
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Action Officer: Ian Street	Approvals by Director /ED / DDG
Area: Ministerial Services	documented in notes in TRIM <i>[Signature]</i>
Telephone: 322 46922	

Sch. 3-2

- It is proposed that the review team be headed by the Executive Director (State Affairs) and consist of key staff from Executive Services and Ministerial Services.
- It is also noted that in the *A Public Service to Serve Queensland* policy announcement, a commitment was made to establishing a new Ministerial Code of Conduct.

CTPI

Sch. 3-2

• **CONSULTATION**

- Executive Services.



Jon Grayson  
Director-General

Comments (Premier or DG)

[Redacted comment box]

RTI REEL

Action Officer: Ian Street      Approvals by Director /ED / DDG  
Area: Ministerial Services      documented in notes in TRIM  
Telephone: 322 46922

Page 3 redacted for the following reason:

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Schedule 3(2) - Cabinet information brought into existence on or after commencement

**PREMIER'S BRIEFING NOTE**

*Governance*

Tracking Folder No. TF/12/8763

Document No. DOC/12/73128

**To: THE PREMIER**  
**Date: 18 April 2012**  
**Subject: Possible amendments to the Parliament of Queensland Act 2001**

Approved / Not Approved / Noted  
Premier .....  
Date 25 April 2012

**• RECOMMENDATION**

It is recommended that you:

Sch. 3-2

- sign the response(Attachment 1) to Mr Neil Laurie, Clerk of the Parliament, to letters he sent to you on 29 March and 13 April 2012 (Attachments 2 and 3) regarding the composition of the Parliament's portfolio committees and matters pertaining to the salaries of Members of Parliament.

**• KEY ISSUES**

- Mr Laurie has provided the Department of the Premier and Cabinet (DPC) with copies of the letters sent to you, and DPC discussed these issues with your Deputy Chief of Staff, Ms Zoe Wilson, and Mr Laurie on 13 April 2012.
- Arising from this discussion are the following proposed amendments:
  - increasing the size of the Parliament's portfolio committees to eight and altering their composition so that six members are nominated by the Leader of the House and two members are nominated by the Leader of the Opposition
  - including the position of Speaker on the Committee of the Legislative Assembly (CLA) possibly as chairperson in lieu of the Leader of the House
  - enabling the payment of an additional salary to the positions of Leader of the House, Chief Government Whip and Senior Government Whip

CTPI

- The amendment altering the composition of the committees is urgent so as to allow the committees to be appointed and be referred Bills introduced at the first sitting. To achieve this, the Bill would need to be introduced, debated and passed on one day.
- While the other proposed amendments are important, they are less urgent, particularly in the case of the Leader of the House, Chief Whip and Senior Whip, as this amendment can be made to be retrospective to ensure they receive their additional salary from the day they were appointed. This and the other amendments could follow in a second Bill to be considered by the Parliament in the more usual timeframe.

Sch. 3-2

**• CONSULTATION**

- The Clerk of the Parliament and the Parliamentary Liaison Officer within DPC.

Comments (Premier or DG)

CTPI

**Jon Grayson**  
**Director-General**

Action Officer: Andrew Timperley  
Area: Executive Services  
Telephone: 322 45613

Approvals by Director /ED / DDG documented in notes in TRIM



## Premier of Queensland

For reply please quote: *ES/AT - TF/12/8763 - DOC/12/73731*

26 APR 2012

Mr Neil Laurie  
The Clerk of the Parliament  
Parliament House  
George Street  
BRISBANE QLD 4000

Executive Building  
100 George Street Brisbane  
PO Box 15185 City East  
Queensland 4002 Australia  
Telephone +61 7 3224 4500  
Facsimile +61 7 3221 3631  
Email [ThePremier@premiers.qld.gov.au](mailto:ThePremier@premiers.qld.gov.au)  
Website [www.thepremier.qld.gov.au](http://www.thepremier.qld.gov.au)

Dear Mr Laurie *Neil,*

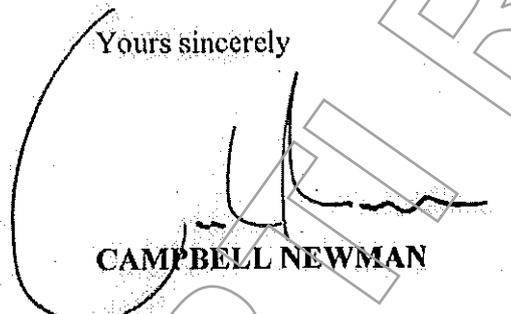
Thank you for your letters of 29 March and 13 April 2012 concerning parliamentary committee membership and procedural and logistical issues arising from the composition of the 54th Parliament, matters pertaining to the base salary of Members of the Queensland Parliament, and the additional salary rate for certain new office bearers.

I note that you have met with my Deputy Chief of Staff, Ms Zoe Wilson, and officers of the Department of the Premier and Cabinet (DPC) to discuss these and other matters.

All of the matters and options you have raised are under consideration by the Government.

My office and DPC will continue to consult with you regarding the detail, development and timing of any related amendments to the *Parliament of Queensland Act 2001*, other legislation, and the *Members' Entitlements Handbook*.

Yours sincerely

  
CAMPBELL NEWMAN



Queensland  
Government



## Queensland Parliamentary Service

### THE CLERK OF THE PARLIAMENT

Parliament House Ph: 61 7 3406 7250  
George Street Fax: 61 7 3221 7475  
Brisbane Qld 4000  
email: ClerksOffice@parliament.qld.gov.au  
www.parliament.qld.gov.au

Your Ref:

Our Ref:

29 March 2012

Hon Campbell Newman  
Premier of Queensland  
PO Box 15185  
CITY EAST QLD 4002

Dear Premier

I refer to our conversation yesterday regarding parliamentary committee membership and procedural and logistical issues arising in the light of the likely composition of the 54<sup>th</sup> Parliament and provide the following advice as requested.

According to media reports regarding the current state of counting of votes by the Electoral Commission, it appears there will be potentially 10 to 12 non-government members in the 54<sup>th</sup> Parliament. This relatively small number of non-government members has implications for the make-up of committees and the timing of meetings.

As at the end of the last parliament, there were 10 parliamentary committees:

- seven portfolio committees
- Committee of the Legislative Assembly
- Parliamentary Crime and Misconduct Committee
- Ethics Committee

The membership of the latter two committees was virtually identical, with members performing both roles.

Normally the Committee of the Legislative Assembly (CLA) would make recommendations regarding the committee system. However, given the timetables, full consideration by the CLA may be impractical.

### Portfolio Committees

In 2011 a new portfolio committee system was established by the Parliament. This system was the product of unanimous recommendations of a bipartisan parliamentary committee which had reported in December 2010 (Committee System Review Committee). The ultimate reforms were also largely bipartisan. The new portfolio system operated from June 2011 to the dissolution of the Parliament in February 2012 and was largely seen as a success in achieving its outcomes of a more vigorous and relevant committee system. It was, in my submission, the most significant reform to Parliament since the abolition of the Legislative Council in 1922. I also submit that the new system is highly adaptable to the ever-changing balance between government and non-government seats that occurs in the Legislative Assembly from one Parliament to the next. It is in the interest of accountability that the new committee system continue but practicalities dictate that the numbers of members and balance of numbers in each committee will need to change to meet the circumstances that the electors of Queensland have decided.

Correspondence to be addressed to: The Clerk of the Parliament, Parliament House, Carr Alice and George Sts, Brisbane QLD 4000 Australia

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The *Parliament of Queensland Act 2001* (the Act) specifies that portfolio committees must be established by standing orders. Standing orders are to state the name, portfolio areas of responsibility and number of members for each committee. The Act also specifies (sections 88 and 89) that there must be an even number of members, being at least six, with half nominated by the Leader of the House and half by the Leader of the Opposition. The Chair is appointed by the Leader of the House, and has a casting vote. A quorum is half the numbers plus one. [Standing Orders currently specify seven portfolio committees, each with six members.]

The current requirement for three government and three non-government members to be available to meet during committee time on a sitting Wednesday morning is not logistically sustainable given the small number of non-government members.

It is submitted that the likely composition of members in the House might best be accommodated without the need to amend the Act (at least immediately) by nominating eight members to the portfolio committees (six government and two non-government) provided agreement could be reached with the Leader of the Opposition to nominate two government members and two non-government members.

This would mean a total of 42 portfolio committee roles being filled by government members and 14 by non-government members. This would be an increase in the number of portfolio committee members from the last Parliament of 14 (two for each committee). The cost in terms of additional salaries for the two additional portfolio committee members per committee under current entitlement arrangements would be \$115,038.00 (14 members at \$8,217.00 each).

However, the cost could be reduced further if members who were holders of other parliamentary offices were appointed, as they only receive one additional salary. For example if the Whip, Deputy Whips and Chairperson of Committees were also appointed to committees the cost could fall to \$73,953.

Further, given the likely number of non-government members, it is envisaged that at least three of the non-government members who will need to be appointed to committees will already be in receipt of additional salaries (Leader of the Opposition, Deputy Leader of the Opposition, Opposition Whip and Leader of a recognised Political Party), or on more than one committee. This would mean that the total cost is likely to be as low as a very modest \$24,651.

If such an agreement is not able to be negotiated, then it will be necessary to amend the Act to re-align the number of members nominated by the Leader of the House and the Leader of the Opposition. If the Act were to be amended, I would suggest that each committee for the 54<sup>th</sup> Parliament consist of seven members and a formula be placed in the Act which indicates how many members there are for committees and how many members are government and non-government members, depending on the balance in the Assembly.

In the interests of promoting the accountability and scrutiny function performed by portfolio committees, it is recommended that the convention of the Deputy Chair of each portfolio committee being a non-government member be maintained.

#### **Committee of the Legislative Assembly**

The Act specifies the CLA membership to be the following six office-holders: Premier, Deputy Premier, Leader of the House (to be the Chair), Leader of the Opposition, Deputy Leader of the Opposition, and Manager of Opposition Business (or alternate in each case). The Speaker is a member when the CLA sits as a Standing Orders Committee. A quorum is four (excluding Speaker), all have an equal vote and there is no casting vote.

As per recent government policy statements reported in the media, it is noted that the Speaker will be appointed to the Committee of the Legislative Assembly. This will require an amendment to s.82 of the Act in due course. In the interim, the Premier could choose to nominate the Speaker as his delegate until the Act can be amended.

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As the non-government members of the CLA are likely to be performing roles on portfolio committees on Wednesday mornings, it is recommended that the CLA meet, following Bill introductions in the morning, on sitting Tuesdays at 3.30pm.

#### **Parliamentary Crime and Misconduct Committee**

The Parliamentary Crime and Misconduct Committee (PCMC) is established by the *Crime and Misconduct Act 2001*. That Act specifies that the committee is to have seven members, four nominated by the Leader of the House and three nominated by the Leader of the Opposition, with the chairperson nominated by the Leader of the House. [The current chairperson, Dr Alexander Douglas MP, was nominated as a non-government Chair pursuant to the Act.] A quorum is four, all have an equal vote and the Chair has a casting vote.

It is recommended that the current membership be maintained without the need for legislative amendment.

It is also recommended in the interests of accountability that the convention of nominating a non-government Chair of this committee be maintained.

As the non-government members are likely to be performing roles on portfolio committees on Wednesday mornings it is recommended that the PCMC meet at another time, such as 3.30pm on a sitting Wednesday.

#### **Ethics Committee**

The Act specifies that the Ethics Committee must have six members, three nominated by the Leader of the House and three by the Leader of the Opposition, with the chairperson nominated by the Leader of the House. A quorum is four, all have an equal vote and the Chair has a casting vote. In the last parliament, six of the PCMC members comprised the Ethics Committee membership (by resolution).

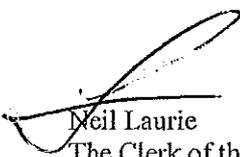
Due to the nature of the Ethics Committee's work in dealing with complaints involving members and others, it is important to maintain the all-party balance of its membership and accordingly it is recommended that the current membership requirements be maintained.

As the non-government members are likely to be performing roles on portfolio committees on Wednesday mornings and if the recommendation that the PCMC meet on Wednesday afternoon is accepted, it is recommended that the members convening an Ethics Committee meet at another time, such as 12pm on a sitting Thursday.

I trust this advice will assist you in making decisions regarding committee membership and timing.

Should you have any queries, please don't hesitate to contact me on 3406 7185.

Yours sincerely

  
Neil Laurie  
The Clerk of the Parliament

cc. Hon Jeff Seeney  
Hon Tim Nicholls



## Queensland Parliamentary Service

### THE CLERK OF THE PARLIAMENT

Parliament House  
George Street  
Brisbane Qld 4000  
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Fax: 61 7 3221 7475  
email: ClerksOffice@parliament.qld.gov.au  
www.parliament.qld.gov.au

Your Ref:

Our Ref:

13 April 2012

Hon Campbell Newman  
Premier of Queensland  
PO Box 15185  
CITY EAST QLD 4002

Dear Premier

I write in relation to the administration of salaries of Members of the Legislative Assembly, which is provided for in the *Parliament of Queensland Act 2001* ('the Act') and also in the *Members' Entitlements Handbook* ('the Handbook').

While administration of the Handbook and the payment of salaries under the Act are the responsibility of the Clerk of the Parliament, variations to the Handbook are approved by the Governor in Council and the Minister responsible for the Act is the Premier.

There are two main issues I wish to raise with you:

#### 1. Salary increases for all Members

The Act currently provides for Members to be paid \$500 per annum less than a Federal Member of the House of Representatives. The nexus between the salaries of Queensland Members and Federal Members was first established in 1988 via the *Parliamentary Members Salaries Act 1988* and has continued on through the current legislation.

Prior to October 2010, this nexus was maintained. However, in October 2010 and again in August 2011, the former Premier determined that increases for Federal Members would not be passed on in full to Queensland Members. Instead of receiving the percentage increases received by the Federal Members the former Premier determined that Queensland Members would receive 2.5% salary increases. These decisions resulted in (until quite recently) Queensland Members being paid \$3,761 per annum less than Federal Members, which is contrary to the relevant provision in the Act. Put another way, the base salary for Queensland Members is \$137,149 when it should according to the Act be \$140,410 (until 15 March 2012).

To exacerbate matters, the Remuneration Tribunal (Commonwealth) has recently published a new rate of salary for Members of the House of Representatives with the salary being adjusted to \$185,000 per annum as from 15 March 2012. The increase for Federal Members, which is \$44,090 per annum, follows a significant review of remuneration arrangements for Federal Parliamentarians conducted by the Commonwealth Remuneration Tribunal.

The review by the Remuneration Tribunal considered the totality of entitlements of Federal Members and included an evaluation of the work of Federal Members to establish a suitable base salary. In short, a number of Member and former Member entitlements were curtailed as a trade off for higher base remuneration.

Correspondence to be addressed to: The Clerk of the Parliament, Parliament House, Alice and George Sts, Brisbane Qld 4000 Australia

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Given the extent of the review undertaken by the Remuneration Tribunal and the size of the increase to the base salary of Federal Members, I think it is unlikely that the Government would want this increase to flow on to Queensland Members (as per the provisions of the Act). Further, it is also noted that the Commonwealth Remuneration Tribunal commented in its report that any linkages between State and Federal salaries should be severed as they are no longer appropriate.

Given the issues above, I have considered four options for your consideration.

Option 1: Refer the matter to the Committee of the Legislative Assembly for advice

Under this option, the current salary rate for Queensland Members would be maintained and the Parliament could request the Committee of the Legislative Assembly (CLA) when it has been established, to conduct a review of the arrangements and make recommendations to the Government for a new mechanism to maintain Members salary rates.

The CLA could consider the matter itself or take advice from external experts to arrive at a new mechanism for determining Members salary rates.

CTPI

Option 2: Link Members salary rates to public service (Senior Executive Service) salary rates

Under this option, the Parliament could link the Members salary rate to a rate in the Senior Executive Service (SES) of the Queensland public service, with any future increases in the SES rate being applied to Members rates.

Queensland Members currently receive \$137,149 per annum as a base salary. The nearest equivalent SES rate is SES level 2 package point 2.3 which currently has a superannuable salary rate of \$137,307 per annum.

The difference of \$158 per annum for all Members would equate to a total cost of \$14,062 for a full financial year. On-costs to be added to this amount would include \$1,792 for employer superannuation contributions and \$670 for payroll tax.

CTPI

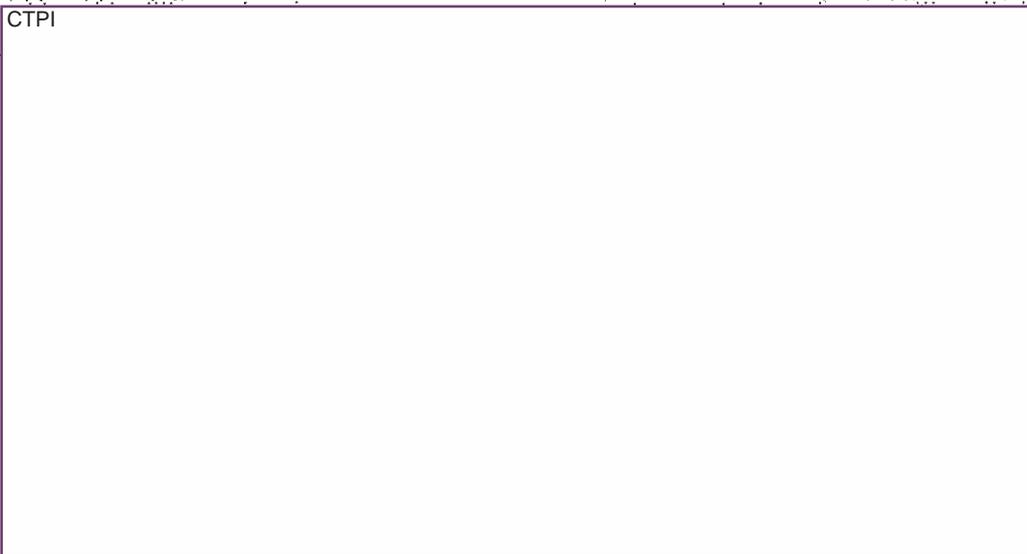
Option 3: Link the base salary of a Queensland Member to a Federal Member with a greater variation

Under this option, the Parliament could continue to link the base salary to a Federal Member with a greater variation, effectively ignoring the recent large rise in Federal Members' salary. The Act could, for example, provide for Members to be paid \$45,000 per annum less than a Federal Member of the House of Representatives that is \$140,000.

CTPI

Option 4: Establish a remuneration tribunal for Members

Under this option either an existing tribunal could be referred the additional responsibility for establishing the salaries and allowances of Members or a special tribunal established for that purpose. The Judicial Remuneration Tribunal established under the *Judicial Remuneration Act 2007* is an example.



Irrespective of which option is selected, the Act will require amendment to change the existing mechanism for determining and maintaining Members' salaries. CTPI

CTPI

Finally, I note that superannuants under the old members' superannuation scheme that retired after December 2004 are linked to the base salary of Members. This means that those superannuants will also be affected by any changes to members' base salary, unless that linkage is also severed.

**2. Salary rates for certain new office bearers**

The announcement you made on 30 March 2012 of the new Ministry also included information about appointments of Assistant Ministers, certain Parliamentary positions and Chairs of Parliamentary Committees.

Having reviewed the proposed appointments there are a number of matters that I wish to bring to your attention.

Leader of the House

I note from your announcement that Mr Ray Stevens is to be the Leader of the House. While the Act states that various positions, including the Leader of the House, are entitled to additional salary [s.112 (1) (a)], the Act does not specify the rates of additional salary payable to the various positions.

The previous legislation that provided for Members salaries, the *Parliamentary Members Salaries Act 1988*, included specific rates of pay for the various positions and these have been progressively updated and recorded in the *Members' Entitlements Handbook* at Schedule A.

The *Parliamentary Members Salaries Act 1988* did not include a rate of additional salary for the position of Leader of the House and only included a rate for a Minister who is recognised as Leader of the House. As a consequence, there is no additional salary amount that can be paid to Mr Stevens as the Leader of the House.

Page 12 redacted for the following reason:

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Contrary to Public Interest (CTPI)

- 5 -

CTPI

Government Whips / Deputy Whips

I note from your announcement that four whips are to be appointed including:

- a Chief Whip (Mr Vaughan Johnson)
- a Senior Whip (Mrs Rosemary Menkens) and
- two Deputy Whips (Mr Ted Sorenson and Ms Tarnya Smith).

The Act makes provision for additional salary to be paid to the "Government Whip" and "Deputy Government Whip". The Handbook (which provides additional entitlements for these office bearers) also reflects this terminology.

For the purposes of providing additional salary and other entitlements contained in the Handbook, I have interpreted your announcement as meaning that-

- the Government Whip will be Mr Johnson
- the Deputy Government Whips will be Mrs Menkens, Mr Sorenson and Ms Smith.

If my interpretation is not correct please advise me of what the preferred appointments are to be. It may well be that you are intending on creating a new tier "Senior Whip" which will also require amendments to the Act and Handbook.

Yours sincerely

  
Neil Lurie  
The Clerk of the Parliament

cc. Hon Jeff Seeney  
Hon Tim Nicholls

Pages 14 through 16 redacted for the following reasons:

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Schedule 3(2) - Cabinet information brought into existence on or after commencement

**Tim Herbert**

---

**From:** Tim Herbert  
**Sent:** Monday, 21 May 2012 4:35 PM  
**To:** 'Zoe Wilson'  
**Subject:** meeting tomorrow afternoon - re: ministerial handbook

Zoe, how are you placed between 1.30 and 3.30pm tomorrow to have that meeting with Jane and me (and maybe Ian) for a half hour or so to discuss the ministerial handbook review? Sch. 3-2

Sch. 3-2

Thanks  
Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
Email: [Tim.Herbert@premiers.qld.gov.au](mailto:Tim.Herbert@premiers.qld.gov.au)

RTI RELEASES

**Tim Herbert**

---

**From:** Tim Herbert  
**Sent:** Tuesday, 22 May 2012 8:20 AM  
**To:** Zoe Wilson  
**Cc:** Ian Street; Jane E. Cameron  
**Subject:** Re: meeting tomorrow afternoon - re: ministerial handbook

Done, see you then.

Regards  
Tim

On 22/05/2012, at 8:08 AM, "Zoe Wilson" <[Zoe.Wilson@ministerial.qld.gov.au](mailto:Zoe.Wilson@ministerial.qld.gov.au)> wrote:

How would 1.30 suit you?  
In the office here?

---

**From:** Tim Herbert [<mailto:Tim.Herbert@premiers.qld.gov.au>]  
**Sent:** Monday, 21 May 2012 4:35 PM  
**To:** Zoe Wilson  
**Subject:** meeting tomorrow afternoon - re: ministerial handbook

Zoe, how are you placed between 1.30 and 3.30pm tomorrow to have that meeting with Jane and me (and maybe Ian) for a half hour or so to discuss the ministerial handbook review? Sch. 3-2

Sch. 3-2

Thanks  
Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
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Please consider the environment before printing this email.

RTI RELEASE SE

**Tim Herbert**

---

**From:** Tim Herbert  
**Sent:** Thursday, 31 May 2012 12:47 PM  
**To:** 'Zoe Wilson'  
**Subject:** Chiefs of Staff feedback on ministerial handbook

Hi Zoe, just wondering how the feedback from the Chiefs of Staff on the draft handbook changes is coming along, so we can incorporate into the draft.

Thanks  
Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
Email: [Tim.Herbert@premiers.qld.gov.au](mailto:Tim.Herbert@premiers.qld.gov.au)

RTI RELEASE

**Ian Street**

---

**From:** Tim Herbert  
**Sent:** Monday, 4 June 2012 11:17 AM  
**To:** 'Zoe Wilson'  
**Cc:** Jane E. Cameron; Ian Street  
**Subject:** meeting with Ian today

Hi Zoe, I understand that you're meeting with Ian today at 1.00pm for the usual MSB catch up. Do you mind if Jane and I come to the tail end of that for 15 minutes or so to discuss status of the handbook review? Ian will phone me on the mobile when you're both ready for us to come up.

Thanks  
Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
Email: [Tim.Herbert@premiers.qld.gov.au](mailto:Tim.Herbert@premiers.qld.gov.au)

RTI RELEASE

**PREMIER'S BRIEFING NOTE**  
*Governance*

Tracking Folder No. TF/12/11466
Document No. DOG/12/104108
Approved / Not-Approved / Noted
Premier <i>[Signature]</i>
Date 21.6.2012

**To: THE PREMIER**  
**Date: 4 June 2012**  
**Subject: Salary rates to apply to new parliamentary positions and response to** CTPI

**• RECOMMENDATION**

It is recommended that you:

- **approve** the following amounts of additional salary above the base salary of a Member of the Legislative Assembly for the newly created parliamentary positions of:
  - Manager of Government Business (MGB) – additional annual salary of \$32 630 (annual aggregate salary of \$169 779)
  - Chief Government Whip (CGW) – additional annual salary of \$21 168 (annual aggregate salary of \$158 317)
  - Senior Government Whip (SGW) – additional annual salary of \$16 043 (annual aggregate salary of \$153 192)

Sch. 3-3

- **note** the letter from CTPI outlining the contradiction between the amount of base salary that Queensland MPs have been receiving since 2010 and the provisions of the *Parliament of Queensland Act 2001 (Attachment 1)*
- **sign** the letter to CTPI advising that you are aware of this issue and that the Government intends to act to resolve it (**Attachment 2**).

**• KEY ISSUES**

- The recent passage of the Parliament of Queensland and Other Acts Amendment Bill 2012 formally established the new positions of MGB, CGW and SGW. The legislation also enables the Governor in Council, upon your recommendation, to set the rates of additional salary to apply backdated to 30 March 2012 (the date that the holders of these officers commenced duty in the positions).
- **Attachment 3** outlines the Department of the Premier and Cabinet's (DPC) rationale for the proposed salary amounts. For comparative purposes, **Attachment 4** provides a list of the annual aggregate salaries of all current office holders.
- The Clerk of the Parliament has indicated that he agrees with DPC that the proposed salary rates for the MGB, CGW and SGW are a matter solely for the Government to determine and the Clerk has indicated that he does not wish to be consulted.
- In April 2012, you advised DPC that you are aware of the base salary issue as raised by CTPI and that you appreciate that the issue must be resolved. At that time, you advised DPC that the matter would be dealt with in the second half of 2012.

Sch. 3-2

**• CONSULTATION**

- QSuper, the Clerk of the Parliament and the Parliamentary Liaison Officer of DPC.

**Comments (Premier or DG)**



**Jon Grayson**  
**Director-General**



## Premier of Queensland

For reply please quote: *ES/AT - TF/12/11466 - DOC/12/104109*

22 JUN 2012

CTPI

CTPI

Executive Building  
100 George Street Brisbane  
PO Box 15185 City East  
Queensland 4002 Australia  
Telephone +61 7 3224 4500  
Facsimile +61 7 3221 3631  
Email [ThePremier@premiers.qld.gov.au](mailto:ThePremier@premiers.qld.gov.au)  
Website [www.thepremier.qld.gov.au](http://www.thepremier.qld.gov.au)

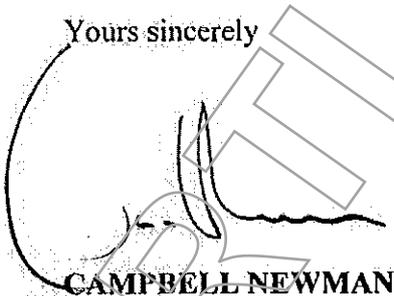
Thank you for your letter of 30 April 2012 about the recent setting of the base salary rate of Members of the Queensland Legislative Assembly.

CTPI

With respect to the setting of the base salary rate of Members of the Queensland Legislative Assembly by the former Government, this is an issue that was drawn to my attention upon becoming Premier.

I will write to you further about this once my Government has given the matter full consideration. Thank you for raising this important matter with me.

Yours sincerely



CAMPBELL NEWMAN



Queensland  
Government

Pages 24 through 25 redacted for the following reasons:

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Contrary to Public Interest (CTPI)

## **ADDITIONAL SALARY TO THE MANAGER OF GOVERNMENT BUSINESS, CHIEF GOVERNMENT WHIP AND SENIOR GOVERNMENT WHIP**

Schedule A of the *Members' Entitlements Handbook* lists the salaries of all office holders in the Queensland Legislative Assembly and is at **Attachment A** for comparative purposes when reading this document.

### **Manager of Government Business**

- The parliamentary position of 'Leader of the House' has been replaced in the *Parliament of Queensland Act 2001* by the position of 'Manager of Government Business'.
- Historically, the position of Leader of the House in Queensland has for the most part been occupied by a Minister of the Crown, with the Minister (at current salary rates) receiving a further additional annual salary of \$13 511 for undertaking the role.
- In 2009, the Bligh Government established the position of Parliamentary Secretary and Leader of the House. At that time, the Governor in Council approved that an additional salary of \$38 083 p.a. (adjusted to current salary rates) be payable to this position. This amount was derived by adding the additional salary of a Parliamentary Secretary (\$24 572) to the extra additional salary that a Minister receives if the Minister is also Leader of the House (\$13 511) to arrive at a singular additional salary of \$38 083 p.a.
- In 2011, the Governor in Council approved that the additional salary received by the position of Parliamentary Secretary and Leader of the House be increased to \$59 250 p.a. This increase was predicated on the position also becoming Chair of the Committee of the Legislative Assembly (CLA) and adding the additional salary that a chair of a committee receives (\$21 168) to form the new singular additional salary.
- The new position of Manager of Government Business differs somewhat from that of the Parliamentary Secretary and Leader of the House in the last Parliament. For instance, the current holder is neither an Assistant Minister (Parliamentary Secretary) nor the Chair of the CLA. Nonetheless, the Manager of Government Business exercises significant responsibilities and is a very senior position within the Parliament. The position should receive an additional salary comparable to other senior positions in the Parliament.
- It is therefore proposed that the position of Manager of Government Business receive an additional salary of \$32 630 above the base, for an annual aggregate salary of \$169 779. This is the same aggregate salary as that afforded to the positions of Deputy Speaker (also known as Chairman of Committees) and Deputy Leader of the Opposition, and is \$11 462 p.a. more than that provided to the position of Manager of Opposition Business.
- The proposed annual aggregate salary of \$169 779 would be \$26 620 less than the annual aggregate salary of \$196 399 that was afforded to the position of Parliamentary Secretary and Leader of the House in the last Parliament. Only the Premier, Deputy Premier, Ministers, Speaker and the Leader of the Opposition would receive a higher annual salary than the Manager of Government Business.

**Chief Government Whip**

- With the creation of the position of Chief Government Whip, it is envisaged that the position holds a higher status than that of the previous position of Government Whip.
- It is therefore proposed that the position of Chief Government Whip receive an additional salary of \$21 168 above the base, for an annual aggregate salary of \$158 317.
- This is the same aggregate salary as that afforded to chairs of parliamentary committees and the Manager of Opposition Business and is \$5125 p.a. more than that afforded to the previous position of Government Whip.
- It is submitted that the increased responsibilities of the Chief Government Whip given the number of government members in the new Parliament justifies a \$5125 p.a. increase, and that parity of salary with the chairs of parliamentary committees and the position of Manager of Opposition Business is also appropriate.

**Senior Government Whip**

- It is proposed that the new position of Senior Government Whip receive an additional salary of \$16 043 above the base, for an annual aggregate salary of \$153 192.
- This is the same aggregate salary as that afforded to the previous position of Government Whip, and it is also the same aggregate salary as that afforded to the position of Opposition Whip.

If these recommendations are adopted, salary payments to the government whips will be as follows:-

<i>Position</i>	<i>Annual additional salary</i>	<i>Annual Aggregate Salary</i>
Chief Government Whip	\$21 168	\$158 317
Senior Government Whip	\$16 043	\$153 192
Deputy Government Whips (no change)	\$8 217	\$145 366

- However, it is worth noting that the current Senior Government Whip, Mrs Rosemary Menkens MP, has been appointed as Chair of the Education and Innovation Committee.
- As members can only receive one additional salary, Mrs Menkens will receive an additional salary of \$16 043 as the chair of this committee and the additional salary for the Senior Government Whip will in a sense remain vacant.
- Nonetheless, the amount of additional salary of the Senior Government Whip should be gazetted so that it is available should parliamentary appointments change.

## MEMBERS' ENTITLEMENTS HANDBOOK

**SCHEDULE A****SALARY PAYABLE TO MEMBERS OF THE QUEENSLAND LEGISLATIVE ASSEMBLY**

The following table outlines the annual rates of salary payable to Members of the Queensland Legislative Assembly and the additional annual rates of salary payable to certain office holders and officials.

The rates are effective on and from 1 August 2011.

For more information, refer to section 2.1 of this Handbook.

Member/Office Holder	Annual Base salary \$	Annual Additional salary \$	Annual Aggregate salary \$
Member of the Legislative Assembly	137,149		137,149
Member of the: Committee of the Legislative Assembly Finance and Administration Committee Legal Affairs, Police, Corrective Services and Emergency Services Committee Industry, Education, Training and Industrial Relations Committee Environment, Agriculture, Resources and Energy Committee Community Affairs Committee Health and Disabilities Committee Transport, Local Government and Infrastructure Committee Ethics Committee Parliamentary Crime and Misconduct Committee	as above	8,217	145,366
Chairperson of the: Committee of the Legislative Assembly Finance and Administration Committee Legal Affairs, Police, Corrective Services and Emergency Services Committee Industry, Education, Training and Industrial Relations Committee Environment, Agriculture, Resources and Energy Committee Community Affairs Committee Health and Disabilities Committee Transport, Local Government and Infrastructure Committee Ethics Committee Parliamentary Crime and Misconduct Committee	as above	21,168	158,317
Government Whip	as above	16,043	153,192
Deputy Government Whip	as above	8,217	145,366
Opposition Whip	as above	16,043	153,192
Parliamentary Secretary to a Minister	as above	24,572	161,721
Leader of the Opposition	as above	63,329	200,478
Deputy Leader of the Opposition	as above	32,630	169,779
Manager of Opposition Business	as above	21,168	158,317
Leader of a Recognised Political Party	as above	32,630	169,779
Chairperson of Committees	as above	32,630	169,779
Parliamentary Secretary and Leader of the House	as above	59,250	196,399
Speaker	as above	63,329	200,478
Minister	as above	84,877	222,026
Minister and Leader of the House	as above	98,388	235,537
Deputy Premier	as above	104,287	241,436
Premier	as above	143,499	280,648

Pages 29 through 31 redacted for the following reasons:

-----  
Schedule 3(2) - Cabinet information brought into existence on or after commencement

**Tim Herbert**

---

**From:** Kate Winter [Kate.Winter@ministerial.qld.gov.au]  
**Sent:** Wednesday, 20 June 2012 11:49 AM  
**To:** Jane E. Cameron  
**Cc:** Tim Herbert; Ian Street  
**Subject:** RE: Ministerial Handbook review

Hi Jane,

Thank you very much – I did receive the folder.

I still haven't had a chance to review – but if you would like to tack on to the meeting I have with Ian on Monday – more than happy to talk through the issues?

Kind regards,

**Kate Winter**  
Deputy Chief of Staff

Office of the Premier  
Level 15 Executive Building, 100 George Street, Brisbane  
Telephone +61 7 3224 4500  
Facsimile +61 7 3221 3631  
Mobile [CTPI]  
Email [kate.winter@ministerial.qld.gov.au](mailto:kate.winter@ministerial.qld.gov.au)

---

**From:** Jane E. Cameron [mailto:Jane.Cameron@premiers.qld.gov.au]  
**Sent:** Wednesday, 20 June 2012 11:28 AM  
**To:** Kate Winter  
**Cc:** Tim Herbert; Ian Street  
**Subject:** Ministerial Handbook review

Hi Kate

Just wanted to check that you got the folder I dropped up for you on Monday with the track change versions of Chapters 1,2 and 4 of the Ministerial Handbook.

Ian Street and I have been working through the feedback received from the Chiefs of Staff and there are a few points that we will need to discuss with you – in particular around the credit card issue.

Just let me know when you would like to meet to discuss this. [CTPI]

[CTPI]

regards

Jane Cameron  
Principal Project Officer  
Executive Services  
Department of the Premier and Cabinet  
Ph: 07 323 90614  
Fax: 07 3229 7494  
Email: [jane.cameron@premiers.qld.gov.au](mailto:jane.cameron@premiers.qld.gov.au)

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RTI RELEASE

Pages 34 through 37 redacted for the following reasons:

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Contrary to Public Interest (CTPI)

Schedule 3(2) - Cabinet information brought into existence on or after commencement

Schedule 3(2) - Cabinet information brought into existence on or after commencement

## Kerri Neuendorf

---

**From:** Mike Kirton  
**Sent:** Monday, 16 July 2012 3:35 PM  
**To:** Kerri Neuendorf; Katherine Williams  
**Cc:** Tim Herbert  
**Subject:** FW: WEB COPY PROPOSED

Look OK?

---

**From:** Peter Walsh [<mailto:Peter.Walsh@ministerial.qld.gov.au>]  
**Sent:** Monday, 16 July 2012 3:28 PM  
**To:** Mike Kirton  
**Subject:** FW: WEB COPY PROPOSED

Mike suggested words for website

I recently committed to releasing the advice that I received from the Integrity Commissioner and the Clerk of the Parliament on an updated Ministerial Code of Conduct to restore accountability and set a higher standard of performance and behaviour for Ministers.

Read the Integrity Commissioner and Clerk of the Parliament's advice [HERE \(HYPERLINK\)](#)

I welcome your comment on the advice. Your feedback will be used to help formulate the finalised draft of the Ministerial Code of Conduct.

**Peter Walsh** | Director Policy  
Office of Hon. Campbell Newman MP | Premier of Queensland  
E-mail: [peter.walsh@ministerial.qld.gov.au](mailto:peter.walsh@ministerial.qld.gov.au)  
Phone: (07) 3225 1479 | Mob: CTPI

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## Kerri Neuendorf

---

**From:** Katherine Williams  
**Sent:** Monday, 16 July 2012 6:03 PM  
**To:** 'Kylie Jacobson'; Lee Anderson  
**Cc:** Tim Herbert; Mike Kirton; Kerri Neuendorf  
**Subject:** RE: Website for approval - live

Hi all

I can now confirm that the content has gone live on: <http://www.premiers.qld.gov.au/code-of-conduct.aspx> and a feature is on the right hand 'what's new' section of the home page at: <http://www.premiers.qld.gov.au/>

We will changeover the email addresses in the morning, and we'll also arrange for it to be more prominently featured in the rotator box.

If you have any issues, please don't hesitate to call me directly on CTPI

Cheers,  
Katherine

Katherine Williams  
P: 340 55220  
M: CTPI

---

**From:** Kylie Jacobson [<mailto:Kylie.Jacobson@ministerial.qld.gov.au>]  
**Sent:** Monday, 16 July 2012 5:50 PM  
**To:** Katherine Williams; Lee Anderson  
**Cc:** Tim Herbert; Mike Kirton; Kerri Neuendorf  
**Subject:** RE: Website for approval

I am ok with this.

---

**From:** Katherine Williams [<mailto:Katherine.Williams@premiers.qld.gov.au>]  
**Sent:** Monday, 16 July 2012 5:37 PM  
**To:** Kylie Jacobson  
**Cc:** Tim Herbert; Mike Kirton; Kerri Neuendorf  
**Subject:** Website for approval  
**Importance:** High

Hi Kylie

Please find the final screenshot attached for your approval. The date has been changed to midday Monday 30 July and we've referenced providing feedback on the joint submission, rather than the code. We've had to put an existing email address in for tonight, but we'll change it to [newcode@premiers.qld.gov.au](mailto:newcode@premiers.qld.gov.au) when it is functional in the morning.

Let me know if you are okay with the below going live. We will continue to work on the form functionality (expected to be within the hour) and will send live once working – I will send you an email to confirm when it has gone live though.

Cheers,  
Katherine

Katherine Williams

P: 340 55220

M:

RTI RELEASE

## Home

- About us
- Government
  - Awards and recognition
  - Events
- Publications
- Community issues
- Right to Information
  - Site map
  - Help

## New Ministerial Code of Conduct

One of the Queensland Government's key commitments to the people of Queensland is to restore confidence and accountability to government, including the establishment of a new Ministerial Code of Conduct.

Obligations regarding integrity and ethics for Ministers and Assistant Ministers are currently governed by the Ministers' Code of Ethics (the current code), which forms part of the Ministers' Handbook. The government is reviewing the current code in order to ensure that Assistant Ministers are required to comply with a code that reflects contemporary expectations regarding ethical behaviour and conduct.

As part of the review, the Integrity Commissioner and the Clerk of the Parliament have provided advice about the current code and the holding of shares and directorships by

RTI RELEASED

- Copyright
- Disclaimer
- Privacy
- Accessibility

#### Ministers.

The Premier would welcome your comment on the joint advice. Your feedback help formulate the finalised draft of the Ministerial Code of Conduct.

You can:

- [Read the joint advice from the Clerk of the Parliament and the Queensland Commissioner regarding the Ministers' Code of Ethics \(PDF, 150 KB\)](#)
- Have your say on the joint advice, by either providing your comments, or uploading a written submission

#### Have your say

To have your say please forward your submission to the Department of the Premier and Cabinet by midday Monday, 30 July 2012 by:

- **Email:** [CSOnline@premiers.qld.gov.au](mailto:CSOnline@premiers.qld.gov.au)

- **Post:**

New Ministerial Code of Conduct  
Department of the Premier and Cabinet  
PO Box 15185 City East  
Brisbane Qld 4002

Or by submitting your comments or uploading a written submission:

Name:\*

Email:

Postcode:

Message:\*

Attachments:

**Accepted file types:** .txt, .rtf, .doc, .docx, .pdf, .xls, .xlsx, .jpg, .gif, .zip

**Total size of file(s):** Up to 2 MB

**If you upload a file greater than 2MB you will see an error message and your email will not be sent.**

**How would you like a response?**

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Please consider the environment before printing this email.

RTI RELEASED

**Kerri Neuendorf**

---

**From:** Mike Kirton  
**Sent:** Monday, 16 July 2012 7:37 PM  
**To:** Kerri Neuendorf  
**Subject:** Fw: Fwd: Website for approval - live

FYI

---

**From:** Tim Herbert  
**To:** Mike Kirton  
**Sent:** Mon Jul 16 19:23:06 2012  
**Subject:** Fwd: Website for approval - live

FYI, will keep you posted.

Regards  
Tim

Begin forwarded message:

**From:** "Tim Herbert" <Tim.Herbert@premiers.qld.gov.au>  
**To:** "peter.walsh@ministerial.qld.gov.au" <peter.walsh@ministerial.qld.gov.au>  
**Subject:** Fwd: Website for approval - live

Peter, FYI, this is now live. I'd like to discuss with you tomorrow the way forward from here to brief on public comments received and seek approval of draft code etc if that's ok.

Regards  
Tim

Begin forwarded message:

**From:** Katherine Williams  
<Katherine.Williams@premiers.qld.gov.au<mailto:Katherine.Williams@premiers.qld.gov.au>>  
**Date:** 16 July 2012 6:02:33 PM AEST  
**To:** 'Kylie Jacobson'  
<Kylie.Jacobson@ministerial.qld.gov.au<mailto:Kylie.Jacobson@ministerial.qld.gov.au>>, Lee Anderson  
<Lee.Anderson@ministerial.qld.gov.au<mailto:Lee.Anderson@ministerial.qld.gov.au>>  
**Cc:** Tim Herbert  
<Tim.Herbert@premiers.qld.gov.au<mailto:Tim.Herbert@premiers.qld.gov.au>>, Mike Kirton  
<Mike.Kirton@premiers.qld.gov.au<mailto:Mike.Kirton@premiers.qld.gov.au>>, Kerri Neuendorf  
<kerri.neuendorf@premiers.qld.gov.au<mailto:kerri.neuendorf@premiers.qld.gov.au>>  
**Subject:** RE: Website for approval - live

Hi all

I can now confirm that the content has gone live on: <http://www.premiers.qld.gov.au/code-of-conduct.aspx> and a feature is on the right hand 'what's new' section of the home page at: <http://www.premiers.qld.gov.au/>

We will changeover the email addresses in the morning, and we'll also arrange for it to be more prominently featured in the rotator box.

If you have any issues, please don't hesitate to call me directly on

Cheers,  
Katherine

Katherine Williams  
P: 340 55220  
M:

From: Kylie Jacobson [mailto:Kylie.Jacobson@ministerial.qld.gov.au]  
Sent: Monday, 16 July 2012 5:50 PM  
To: Katherine Williams; Lee Anderson  
Cc: Tim Herbert; Mike Kirton; Kerri Neuendorf  
Subject: RE: Website for approval

I am ok with this.

From: Katherine Williams [mailto:Katherine.Williams@premiers.qld.gov.au]  
Sent: Monday, 16 July 2012 5:37 PM  
To: Kylie Jacobson  
Cc: Tim Herbert; Mike Kirton; Kerri Neuendorf  
Subject: Website for approval  
Importance: High

Hi Kylie

Please find the final screenshot attached for your approval. The date has been changed to midday Monday 30 July and we've referenced providing feedback on the joint submission, rather than the code. We've had to put an existing email address in for tonight, but we'll change it to [newcode@premiers.qld.gov.au](mailto:newcode@premiers.qld.gov.au) <<mailto:newcode@premiers.qld.gov.au>> when it is functional in the morning.

Let me know if you are okay with the below going live. We will continue to work on the form functionality (expected to be within the hour) and will send live once working – I will send you an email to confirm when it has gone live though.

Cheers,  
Katherine

Katherine Williams  
P: 340 55220  
M:

[cid:image001.png@01CD637C.A83B8560][cid:image002.png@01CD637C.A83B8560]

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<image002.png>

<image001.png>

Pages 47 through 382 redacted for the following reasons:

-----  
Schedule 3(2) - Cabinet information brought into existence on or after commencement

**Kate Taylor**

---

**From:** Tim Herbert  
**Sent:** Friday, 20 July 2012 2:03 PM  
**To:** 'Peter Walsh'  
**Cc:** Patrick Vidgen; Mike Kirton; Kerri Neuendorf  
**Subject:** FW: TF/12/18552 - Ministerial Code of Conduct  
**Attachments:** PBN - Release of draft new Ministerial Code of Conduct.docx; ATTACHMENT 1 proposed new content to be inserted into Ministerial Code of Conduct.docx; CTPI

Peter, FYI, the DG has signed off on this brief and it should be headed your way.

Let me know if you need anything further from us at this point. Otherwise, I'll await the outcome of the Premier's consideration of the brief on the proposed way forward.

Regards  
Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
Email: [Tim.Herbert@premiers.qld.gov.au](mailto:Tim.Herbert@premiers.qld.gov.au)

**From:** Kerri Neuendorf  
**Sent:** Friday, 20 July 2012 1:57 PM  
**To:** Tim Herbert  
**Cc:** Mike Kirton  
**Subject:** TF/12/18552 - Ministerial Code of Conduct

Hi Tim

I understand that you are keen to email the Ministerial Code of Conduct PBN to Peter Walsh after approved by the Director-General.

Just wanted to let you know that the PBN was approved by the DG this morning and it is now with the Premier's Office. According to the TRIM notes, a copy has been given to DCOS and original with Policy Team for review.

I have attached relevant docs to this email should you wish to send to Peter.

Cheers  
Kerri

**Kerri Neuendorf**  
A/Senior Policy Officer | Executive Services | Department of the Premier and Cabinet  
☎ (07) 303 30679 | 📠 (07) 3229 7494  
📍 Level 4, Executive Building, 100 George Street, Brisbane | PO Box 15185, CITY EAST QLD 4002  
✉ [kerri.neuendorf@premiers.qld.gov.au](mailto:kerri.neuendorf@premiers.qld.gov.au)

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Pages 384 through 387 redacted for the following reasons:

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Schedule 3(2) - Cabinet information brought into existence on or after commencement

Schedule 3(2) - Cabinet information brought into existence on or after commencement  
&  
Contrary to Public Interest (CTPI)

**Kerri Neuendorf**

---

**From:** Mike Kirton  
**Sent:** Tuesday, 31 July 2012 7:30 AM  
**To:** Kerri Neuendorf  
**Subject:** FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct  
**Attachments:** Website content for have your say on joint advice and draft Ministerial Code of Conduct.tr5; Website content for have your say on joint advice and draft Ministerial Code of Conduct.docx; FW: Draft Ministerial Code of Conduct

FYI

-----Original Message-----

**From:** Tim Herbert  
**Sent:** Monday, 30 July 2012 5:40 PM  
**To:** 'Peter Walsh'  
**Cc:** Mike Kirton; Katherine Williams  
**Subject:** FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

Sch. 3-2

Sch. 3-2 we are getting ready to publish the draft code on the DPC website after the Premier tables it in Parliament.

See the attached updated draft text for the website in preparation for publication of the draft code. Can you confirm you're happy with it - thanks.

CTPI, Sch. 3-2

Thanks and happy to discuss.

Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
Email: [Tim.Herbert@premiers.qld.gov.au](mailto:Tim.Herbert@premiers.qld.gov.au)

-----Original Message-----

**From:** Mike Kirton  
**Sent:** Friday, 27 July 2012 11:08 AM  
**To:** Tim Herbert  
**Cc:** Kerri Neuendorf  
**Subject:** FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

Tim

Attached is the revised website content for the Code of Conduct, for your approval.

If you're OK with the content, Katherine Williams will seek approval with the Premier's Office.

Thanks,  
Mike

-----Original Message-----

From: Kerri Neuendorf

Sent: Friday, 27 July 2012 9:38 AM

To: Mike Kirton

Subject: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

Mike, I've done up the revised web content in a word document (changes to current text are tracked).

Didn't think it was necessary to provide any overview of the content of the draft code.

Let me know what you think.....

K

-----< HP TRIM Record Information >-----

Record Number : DOC/12/145685

Title : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

RTI RELEASED

## New Ministerial Code of Conduct

One of the Queensland Government's key commitments to the people of Queensland is to restore confidence and accountability to government, including the establishment of a new Ministerial Code of Conduct.

Obligations regarding integrity and ethics for Ministers and Assistant Ministers are currently governed by the Ministers' Code of Ethics (the current code), which forms part of the Ministerial Handbook. The government is reviewing the current code in order to ensure that Ministers and Assistant Ministers are required to comply with a code that reflects contemporary public expectations regarding ethical behaviour and conduct.

As part of the review, the Integrity Commissioner and the Clerk of the Parliament provided joint advice about the current code and the holding of shares and directorships by Ministers/Assistant Ministers. The Premier released the joint advice and invited comments by midday Monday, 30 July 2012.

The Integrity Commissioner has reviewed the current code and a draft Ministerial Code of Conduct has been prepared, that is reflective of both his and the Clerk's advice.

The Premier would welcome your comment on the draft code. All feedback received in response to both the joint advice and the draft code will be used to help formulate the finalised draft of the Ministerial Code of Conduct.

You can:

- Read the joint advice from the Clerk of the Parliament and the Queensland Integrity Commissioner regarding the Ministers' Code of Ethics (PDF, 150 KB) (<http://www.premiers.qld.gov.au/assets/joint-advice.pdf>)
- Read the draft Ministerial Code of Conduct
- Have your say on the draft code, by either providing your comments, or preparing and uploading a written submission

### Have your say

To have your say please forward your submission to the Department of the Premier and Cabinet by midday Tuesday, 14 August 2012 by:

- **Email:** [newcode@premiers.qld.gov.au](mailto:newcode@premiers.qld.gov.au) ( <mailto:newcode@premiers.qld.gov.au> )
- **Post:**  
New Ministerial Code of Conduct  
Department of the Premier and Cabinet  
PO Box 15185 City East  
Brisbane Qld 4002

Or by submitting your comments or uploading a written submission:

Deleted: has prepared

Deleted: joint advice

Deleted: Your

Deleted: joint advice

Deleted: Monday

Deleted: 30 July 2012

Pages 391 through 407 redacted for the following reasons:

-----  
Schedule 3(6) - Information disclosure of which would be contempt of court or Parliament

## Kerri Neuendorf

---

**From:** Kerri Neuendorf  
**Sent:** Wednesday, 1 August 2012 11:25 AM  
**To:** 'paul.leven@ministerial.qld.gov.au'  
**Cc:** Tim Herbert  
**Subject:** FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct  
**Attachments:** Website content for have your say on joint advice and draft Ministerial Code of Conduct.docx

Hi Paul

As discussed, please find attached the proposed updated web content sent to Peter Walsh on Monday.

We are working with Online Comms to have the new content ready to go live on DPC's website after the Premier has made the Ministerial Statement.

Feel free to call if you require any further information.

Regards  
Kerri

Kerri Neuendorf  
A/Senior Policy Officer | Executive Services | Department of the Premier and Cabinet  
Telephone: (07) 303 30679  
Level 4, Executive Building, 100 George Street, Brisbane | PO Box 15185, CITY EAST QLD 4002  
[kerri.neuendorf@premiers.qld.gov.au](mailto:kerri.neuendorf@premiers.qld.gov.au)

Please consider the environment before printing this email

-----Original Message-----

**From:** Mike Kirton  
**Sent:** Tuesday, 31 July 2012 7:30 AM  
**To:** Kerri Neuendorf  
**Subject:** FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

FYI

-----Original Message-----

**From:** Tim Herbert  
**Sent:** Monday, 30 July 2012 5:40 PM  
**To:** 'Peter Walsh'  
**Cc:** Mike Kirton; Katherine Williams  
**Subject:** FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

Sch. 3-2

Sch. 3-2 we are getting ready to publish the draft code on the DPC website after the Premier tables it in Parliament.

See the attached updated draft text for the website in preparation for publication of the draft code. Can you confirm you're happy with it - thanks.

Sch. 3-2

Thanks and happy to discuss.

Tim

---

Tim Herbert  
Executive Director  
State Affairs  
Department of the Premier and Cabinet  
Ph: 340 43654  
Email: [Tim.Herbert@premiers.qld.gov.au](mailto:Tim.Herbert@premiers.qld.gov.au)

-----Original Message-----

From: Mike Kirton  
Sent: Friday, 27 July 2012 11:08 AM  
To: Tim Herbert  
Cc: Kerri Neuendorf  
Subject: FW: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

Tim

Attached is the revised website content for the Code of Conduct, for your approval.

If you're OK with the content, Katherine Williams will seek approval with the Premier's Office.

Thanks,  
Mike

-----Original Message-----

From: Kerri Neuendorf  
Sent: Friday, 27 July 2012 9:38 AM  
To: Mike Kirton  
Subject: HP TRIM Internal : DOC/12/145685 : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

Mike, I've done up the revised web content in a word document (changes to current text are tracked).

Didn't think it was necessary to provide any overview of the content of the draft code.

Let me know what you think.....

K

-----< HP TRIM Record Information >-----

Record Number : DOC/12/145685  
Title : Website content for "have your say" on joint advice and draft Ministerial Code of Conduct

## New Ministerial Code of Conduct

One of the Queensland Government's key commitments to the people of Queensland is to restore confidence and accountability to government, including the establishment of a new Ministerial Code of Conduct.

Obligations regarding integrity and ethics for Ministers and Assistant Ministers are currently governed by the Ministers' Code of Ethics (the current code), which forms part of the Ministerial Handbook. The government is reviewing the current code in order to ensure that Ministers and Assistant Ministers are required to comply with a code that reflects contemporary public expectations regarding ethical behaviour and conduct.

As part of the review, the Integrity Commissioner and the Clerk of the Parliament provided joint advice about the current code and the holding of shares and directorships by Ministers/Assistant Ministers. The Premier released the joint advice and invited comments by midday Monday, 30 July 2012.

The Integrity Commissioner has reviewed the current code and a draft Ministerial Code of Conduct has been prepared, that is reflective of both his and the Clerk's advice.

The Premier would welcome your comment on the draft code. All feedback received in response to both the joint advice and the draft code will be used to help formulate the finalised draft of the Ministerial Code of Conduct.

You can:

- Read the joint advice from the Clerk of the Parliament and the Queensland Integrity Commissioner regarding the *Ministers' Code of Ethics* (PDF, 150 KB) (<http://www.premiers.qld.gov.au/assets/joint-advice.pdf>)
- Read the draft Ministerial Code of Conduct
- Have your say on the draft code, by either providing your comments, or preparing and uploading a written submission

### Have your say

To have your say please forward your submission to the Department of the Premier and Cabinet by midday Tuesday, 14 August 2012 by:

- **Email:** [newcode@premiers.qld.gov.au](mailto:newcode@premiers.qld.gov.au) ( <mailto:newcode@premiers.qld.gov.au> )
- **Post:**  
New Ministerial Code of Conduct  
Department of the Premier and Cabinet  
PO Box 15185 City East  
Brisbane Qld 4002

Or by submitting your comments or uploading a written submission:

Deleted: joint advice

Deleted: Your

Deleted: joint advice

Deleted: Monday

Deleted: 30 July 2012

Pages 411 through 421 redacted for the following reasons:

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Schedule 3(6) - Information disclosure of which would be contempt of court or Parliament

**PREMIER'S BRIEFING NOTE**

Governance

Tracking Folder No. TF/12/20797  
Document No. DOC/12/158400

**To:** THE PREMIER  
**Date:** 22 August 2012  
**Subject:** Salary and allowances increase for Members of the Queensland Parliament (MPs) in 2012

Approved / Not Approved / Noted  
Premier .....  
Date 30/9/2012

**RECOMMENDATION**

It is recommended that you:

*Members Pay a allowances and go up by the Core Wage Outcome!*

- note the letters from Mr Neil Laurie, Clerk of the Parliament (the Clerk) regarding a salary increase received by Federal MPs and a 2012 CPI adjustment of Queensland MPs' allowances under the *Members' Entitlements Handbook* (the handbook) (**Attachments 1 and 2**)

Sch. 3-2

CTPI

**KEY ISSUES**

MP salaries

- The Act provides that a Queensland MP is entitled to an annual salary that is \$500 less than the base salary of a Federal MP. The current differential is \$53 401. Further background to this differential and commentary on options is at **Attachment 4**.
- You have recently publicly stated that if Queensland MPs were to receive a salary increase in 2012, then the level of that increase should be within the boundaries of what the Government is asking public sector employees to accept.
- A number of options are available regarding the setting of the base salary of MPs. In April 2012, the Clerk provided you with four options as follows:
  - Option 1 — Refer the matter to the Committee of the Legislative Assembly (CLA) for advice, with the CLA perhaps taking advice from external experts to arrive at a recommendation to the Parliament of a new mechanism
  - Option 2 — Link the base salary of Queensland MPs to the nearest rate in the Senior Executive Service of the Public Service
  - Option 3 — Retain a nexus with Federal MPs but amend the Act to provide a greater variation than \$500, for example, \$50 000 less
  - Option 4 — Establish a Queensland MP Remuneration Tribunal which would determine MP salaries and allowances.
- The Department of the Premier and Cabinet (DPC) favours a linkage between MP salaries and the Public Service as suggested by the Clerk (Option 2), but rather than linking with the nearest rate in the Senior Executive Service, DPC recommends amending the Act to link future increases to the same percentage increases received by public servants in the Core Queensland Government Departments Certified Agreement.
- This proposal has the advantage of keeping the percentage rate of MP salary increases in line with those in the core public service, and it also involves no cost to implement and maintain, unlike for instance the cost of establishing and maintaining a MP remuneration tribunal.

Action Officer: Andrew Timperley      Approvals by Director /ED / DDG  
Area: Executive Services                      documented in notes in TRIM  
Telephone: 322 45613

**PREMIER'S BRIEFING NOTE**

*Governance*

Tracking Folder No. TF/12/20797

Document No. DOC/12/158400

- DPC has discussed this proposal with the Clerk and he is supportive of it.
- Within the State Government's current tight fiscal climate, with the adoption of this recommendation, MPs would be able to point out that their salaries were merely increasing at the same time and at the same percentage rate as public servants in the core agreement.
- The Brisbane City Council and the Local Government Remuneration and Discipline Tribunal use the base annual salary of a Queensland MP as a reference point to determine the salaries of mayors, deputy mayors and councillors. The move to link MPs' salary movements to those of the core public service would not affect this process, particularly as this is effectively what has been happening since 2010.
- In 2012, the New South Wales, Victorian and Tasmanian parliaments have passed legislation to break their nexuses with the base salaries of Federal MPs, so as to provide percentage salary increases for their MPs in line with their public servants.

**MP Allowances – CPI Increase**

- The handbook provides that certain allowances paid to MPs are to be varied annually from 1 July in accordance with the CPI for Brisbane over the previous financial year.
- Allowances subject to this provision include the Allowance to Members (once known as Electorate Allowance), General Travel Allocation, Daily Travelling Allowance, Special Car Allowance and Flight Within Electorate Allocation.
- The Australian Bureau of Statistics has announced that the CPI for Brisbane rose by 0.9 per cent from June 2011 to June 2012.
- MPs' allowances were last increased by 3.8 per cent from 1 July 2011, which represented the CPI increase for Brisbane from June 2010 to June 2011.
- The Governor in Council is required to formally approve the CPI increase of allowances, and it remains open to you to advise the Governor in Council to reduce, delay, suspend or pay-in-full, the 2012 CPI increase.
- The CPI for Brisbane showed a very modest increase in the year to June 2012, and DPC recommends that MPs' allowances be increased by 0.9 per cent from 1 July 2012.

**• CONSULTATION**

- The Clerk of the Parliament.

**• BACKGROUND**

- In April 2012, during the drafting of amendments to the Act regarding the Parliament's portfolio committee system, you advised DPC that you would consider the MP salary nexus issue during the second half of 2012, rather than at that time.

Comments (Premier or DG)

Jon Grayson  
Director-General

Action Officer: Andrew Timperley      Approvals by Director /ED / DDG  
Area: Executive Services                  documented in notes in TRIM  
Telephone: 322 45613



# Queensland Parliamentary Service

## HUMAN RESOURCE SERVICES

Parliament House Ph: 61 7 3406 7385  
George Street Fax: 61 7 3406 7940  
Brisbane Qld 4000  
email: robyn.jarvis@parliament.qld.gov.au  
www.parliament.qld.gov.au

Your Ref:

Our Ref: MP Salaries.

31 July 2012

Hon C Newman MP  
Premier  
PO Box 15185  
CITY EAST Q 4002

Digital	YES	NO
ELECTRONIC DOCUMENT		
8 JUL 2012		
Date Received by DDC		
Document No.		
File		

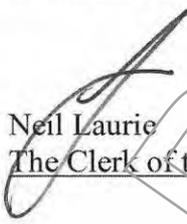
Dear Premier

I refer to my correspondence of 13 April 2012 concerning the administration of salaries and entitlements of Members of the Legislative Assembly which are provided for in the Parliament of Queensland Act 2001 ('the Act') and the Members Entitlements Handbook ('the Handbook').

As advised in my correspondence of 13 April 2012, the Act provides for the salaries of Queensland Members to be \$ 500 per annum less than Federal Members. I am aware that the nexus between the salaries of Queensland Members and Federal Members is being reviewed by officers of your Department and thought they should be aware of the latest movement in the salaries of Federal Members. The Remuneration Tribunal (Cwlth) has recently published a new rate of salary for Members of the House of Representatives with the salary being adjusted to \$ 190,550 per annum as from 1 July 2012. The increase for Federal Members, \$ 5,550 per annum, represents a 3% salary increase.

Please do not hesitate to contact me if you wish to discuss this matter in more detail or if further information is required.

Yours sincerely

  
Neil Laurie  
The Clerk of the Parliament

**THE CLERK OF THE PARLIAMENT**

Parliament House Ph: 61 7 3406 7250  
George Street Fax: 61 7 3221 7475  
Brisbane Qld 4000  
email: ClerksOffice@parliament.qld.gov.au  
www.parliament.qld.gov.au

Your Ref:

Our Ref:

13 April 2012

Hon Campbell Newman  
Premier of Queensland  
PO Box 15185  
CITY EAST QLD 4002

Dear Premier

I write in relation to the administration of salaries of Members of the Legislative Assembly, which is provided for in the *Parliament of Queensland Act 2001* ('the Act') and also in the *Members' Entitlements Handbook* ('the Handbook').

While administration of the Handbook and the payment of salaries under the Act are the responsibility of the Clerk of the Parliament, variations to the Handbook are approved by the Governor in Council and the Minister responsible for the Act is the Premier.

There are two main issues I wish to raise with you:

**1. Salary increases for all Members**

The Act currently provides for Members to be paid \$500 per annum less than a Federal Member of the House of Representatives. The nexus between the salaries of Queensland Members and Federal Members was first established in 1988 via the *Parliamentary Members Salaries Act 1988* and has continued on through the current legislation.

Prior to October 2010, this nexus was maintained. However, in October 2010 and again in August 2011, the former Premier determined that increases for Federal Members would not be passed on in full to Queensland Members. Instead of receiving the percentage increases received by the Federal Members the former Premier determined that Queensland Members would receive 2.5% salary increases. These decisions resulted in (until quite recently) Queensland Members being paid \$3,761 per annum less than Federal Members, which is contrary to the relevant provision in the Act. Put another way, the base salary for Queensland Members is \$137,149 when it should according to the Act be \$140,410 (until 15 March 2012).

To exacerbate matters, the Remuneration Tribunal (Commonwealth) has recently published a new rate of salary for Members of the House of Representatives with the salary being adjusted to \$185,000 per annum as from 15 March 2012. The increase for Federal Members, which is \$44,090 per annum, follows a significant review of remuneration arrangements for Federal Parliamentarians conducted by the Commonwealth Remuneration Tribunal.

The review by the Remuneration Tribunal considered the totality of entitlements of Federal Members and included an evaluation of the work of Federal Members to establish a suitable base salary. In short, a number of Member and former Member entitlements were curtailed as a trade off for higher base remuneration.

- 2 -

Given the extent of the review undertaken by the Remuneration Tribunal and the size of the increase to the base salary of Federal Members, I think it is unlikely that the Government would want this increase to flow on to Queensland Members (as per the provisions of the Act). Further, it is also noted that the Commonwealth Remuneration Tribunal commented in its report that any linkages between State and Federal salaries should be severed as they are no longer appropriate.

Given the issues above, I have considered four options for your consideration.

Option 1: Refer the matter to the Committee of the Legislative Assembly for advice

Under this option, the current salary rate for Queensland Members would be maintained and the Parliament could request the Committee of the Legislative Assembly (CLA) when it has been established, to conduct a review of the arrangements and make recommendations to the Government for a new mechanism to maintain Members salary rates.

The CLA could consider the matter itself or take advice from external experts to arrive at a new mechanism for determining Members salary rates.

CTPI

Option 2: Link Members salary rates to public service (Senior Executive Service) salary rates

Under this option, the Parliament could link the Members salary rate to a rate in the Senior Executive Service (SES) of the Queensland public service, with any future increases in the SES rate being applied to Members rates.

Queensland Members currently receive \$137,149 per annum as a base salary. The nearest equivalent SES rate is SES level 2 package point 2.3 which currently has a superannuable salary rate of \$137,307 per annum.

The difference of \$158 per annum for all Members would equate to a total cost of \$14,062 for a full financial year. On-costs to be added to this amount would include \$1,792 for employer superannuation contributions and \$670 for payroll tax.

CTPI

Option 3: Link the base salary of a Queensland Member to a Federal Member with a greater variation

Under this option, the Parliament could continue to link the base salary to a Federal Member with a greater variation, effectively ignoring the recent large rise in Federal Members' salary. The Act could, for example, provide for Members to be paid \$45,000 per annum less than a Federal Member of the House of Representatives that is \$140,000.

CTPI

- 3 -

Option 4: Establish a remuneration tribunal for Members

Under this option either an existing tribunal could be referred the additional responsibility for establishing the salaries and allowances of Members or a special tribunal established for that purpose. The Judicial Remuneration Tribunal established under the *Judicial Remuneration Act 2007* is an example.

CTPI

Irrespective of which option is selected, the Act will require amendment to change the existing mechanism for determining and maintaining Members' salaries. CTPI

CTPI

Finally, I note that superannuants under the old members' superannuation scheme that retired after December 2004 are linked to the base salary of Members. This means that those superannuants will also be affected by any changes to members' base salary, unless that linkage is also severed.

**2. Salary rates for certain new office bearers**

The announcement you made on 30 March 2012 of the new Ministry also included information about appointments of Assistant Ministers, certain Parliamentary positions and Chairs of Parliamentary Committees.

Having reviewed the proposed appointments there are a number of matters that I wish to bring to your attention.

Leader of the House

I note from your announcement that Mr Ray Stevens is to be the Leader of the House. While the Act states that various positions, including the Leader of the House, are entitled to additional salary [s.112 (1) (a)], the Act does not specify the rates of additional salary payable to the various positions.

The previous legislation that provided for Members salaries, the *Parliamentary Members Salaries Act 1988*, included specific rates of pay for the various positions and these have been progressively updated and recorded in the *Members' Entitlements Handbook* at Schedule A.

The *Parliamentary Members Salaries Act 1988* did not include a rate of additional salary for the position of Leader of the House and only included a rate for a Minister who is recognised as Leader of the House. As a consequence, there is no additional salary amount that can be paid to Mr Stevens as the Leader of the House.

Page 428 redacted for the following reason:

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Contrary to Public Interest (CTPI)

- 5 -

CTPI

Government Whips / Deputy Whips

I note from your announcement that four whips are to be appointed including:

- a Chief Whip (Mr Vaughan Johnson)
- a Senior Whip (Mrs Rosemary Menkens) and
- two Deputy Whips (Mr Ted Sorenson and Ms Tarnya Smith).

The Act makes provision for additional salary to be paid to the "Government Whip" and "Deputy Government Whip". The Handbook (which provides additional entitlements for these office bearers) also reflects this terminology.

For the purposes of providing additional salary and other entitlements contained in the Handbook, I have interpreted your announcement as meaning that-

- the Government Whip will be Mr Johnson
- the Deputy Government Whips will be Mrs Menkens, Mr Sorenson and Ms Smith.

If my interpretation is not correct please advise me of what the preferred appointments are to be. It may well be that you are intending on creating a new tier "Senior Whip" which will also require amendments to the Act and Handbook.

Yours sincerely

  
Neil Laurie  
The Clerk of the Parliament

cc. Hon Jeff Seeney  
Hon Tim Nicholls

For reply please quote: *ES/AT – TF/12/20797 – DOC/12/158403*  
Your reference: *MP Salaries*.

Mr Neil Laurie  
The Clerk of the Parliament  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your recent letters about the salaries and allowances of Members of the Queensland Legislative Assembly.

The Government is currently giving full consideration to the issue of the setting of the base salary of Queensland Members, including the options that you provided to me earlier this year. As soon as the Government has reached a decision on this matter, officers from the Department of the Premier and Cabinet will liaise with you regarding any processes to be followed from there.

CTPI

Yours sincerely

**CAMPBELL NEWMAN**

## Background to the setting of the base salary of a Member of the Queensland Legislative Assembly (Qld MPs)

- In April 1988, the Queensland Parliament passed the *Parliamentary Members' Salaries Act 1988* which provided that a Qld MP was entitled to a base salary that was \$500 less than the base annual salary of a Member of the House of Representatives of the Parliament of Australia (Federal MPs), with each future increase to apply from the same date that Federal MPs received their increase.
- In 2001, these provisions were carried forward into the *Parliament of Queensland Act 2001* and the *Parliamentary Members' Salaries Act 1988* was repealed.
- Prior to the *Parliamentary Members' Salaries Act 1988*, the base salary of a Qld MP was linked to a grade in the Qld Public Service. That grade was an I-17 which in current Qld Public Service grades roughly equates to an A08-4.
- From 1988 to 2008, every percentage increase to the base salary of Federal MPs was passed on in full to Qld MPs so as to maintain the \$500 nexus.
- In 2009, Federal MPs received a salary increase of 3.14% from 1 September 2009. At that time, the former Government decided that Qld MPs should receive this increase in full but decided that the increase should not taken effect until 1 January 2010.
- The former Government's decision was made so as to keep a commitment the former Premier had made during the 2009 State Election that if her Government was re-elected, Qld MPs would not receive a salary increase in 2009, regardless of whether Federal MPs received an increase in 2009 or not.
- In 2010 and 2011, the former Government decided to limit 4.2% and 3.1% salary increases then payable to Qld MPs as a result of federal increases to 2.5%.
- The former Government made these decisions so as to keep the percentage increase of MP's salaries in line with their wages policy to limit salary increases in the Qld public sector to 2.5% p.a. until the Budget returned to surplus.
- In taking these decisions, the former Government did not decide to amend the Act to break the nexus with Federal MPs and align the Act to what Qld MPs were actually being paid.
- The reduced salary increases of 2010 and 2011, and two other salary increases received by Federal MPs in 2012 of 31.2% and 3%, mean that the base salary of a Qld MP is now \$53,401 less than a Federal MP i.e. \$137,149 p.a. as opposed to \$190,550 p.a.
- Qld MPs last received a salary increase with effect from 1 August 2011.

**OPTIONS FOR SETTING THE BASE SALARY OF MEMBERS OF THE QUEENSLAND LEGISLATIVE ASSEMBLY**

Option	Summary of the Clerk of the Parliament's Option	DPC view and recommendation to the Premier
<p><u>Option 1</u></p> <p>Refer matter to the Committee of the Legislative Assembly (CLA) for review and report back to the Parliament</p>	<p>The current salary for Qld MPs to be maintained and the Parliament would request the CLA to conduct a review of the arrangements for the setting of the base salary of MPs.</p> <p>The CLA could consider the matter itself or take advice from external experts before making a recommendation to the Parliament.</p>	<div style="border: 1px solid black; height: 50px; width: 100%;"></div> <p style="text-align: right; font-size: small;">CRPI</p> <p>DPC recommends to the Premier that Option 1 not be supported.</p>
<p><u>Option 2</u></p> <p>Link the base salary of Qld MPs to a grade in the Qld Public Service</p>	<p>Amend the <i>Parliament of Queensland Act 2001</i> to link the base salary of Qld MPs to a grade in the Qld Public Service.</p> <p>The grade of Senior Executive Service level 2 package point 2.3 has a current superannuable salary rate of \$137,307 p.a., this is the closest grade to the current base salary of a Qld MP which is \$137,149 p.a.</p>	<p>Rather than the Clerk's option of linking to a grade in the Senior Executive Service, DPC recommends to the Premier that the <i>Parliament of Queensland Act 2001</i> be amended to link percentage increases to the base salary of Queensland MPs to the same percentage increases received by public servants in the Core Queensland Governments Department Certified Agreement.</p> <p>Under this proposal the MP base salary together with the additional salary amounts received by all parliamentary office holders such as Ministers, Whips, committee chairs and members, the Speaker and the Leader of the Opposition would increase at the same time and by the same percentage amount that applies to public servants in the core agreement.</p> <p>The Governor in Council would still be required to provide formal approval for the MP salary increases and transparency would be maintained as the new rates would be published in the <i>Government Gazette</i> and in the <i>Members' Entitlements Handbook</i> as currently required.</p> <p>This proposal has no cost to implement or maintain, beyond the actual cost of the salary increases themselves. The Clerk also supports this proposal.</p>

<p><u>Option 3</u></p> <p>Continue with a link or nexus to Federal MPs but with a greater variation</p>	<p>Amend the <i>Parliament of Queensland Act 2001</i> to alter the nexus of “\$500 less” to another amount below the base salary of a Federal MP.</p>	<p>DPC recommends to the Premier that Option 3 not be supported.</p> <p>Retaining a link – at whatever amount – to Federal MPs leaves the Premier at the future whim of each decision of the Commonwealth Remuneration Tribunal.</p> <p>For example, Federal MPs received a 3% salary increase from 1 July 2012. Setting aside any argument about whether Qld MPs are deserving of a 3% salary increase at the moment, DPC is of the view that it would be difficult for the Premier to publicly justify a 3% increase for Qld MPs in light of the salary offers that the Government is making to public sector employees.</p>
<p><u>Option 4</u></p> <p>Establish a remuneration tribunal for Members</p>	<p>Establish a Qld MP Remuneration Tribunal or provide the responsibility for determining MP salaries and allowances to an existing tribunal.</p>	<p>DPC recommends to the Premier that Option 4 not be supported. DPC does not support the establishment of a Qld MP Remuneration Tribunal due to the cost of establishing and maintaining such a tribunal. Furthermore, if such a tribunal was established and its determinations were binding, the Government and the Parliament could not easily review or alter any determination should it be felt that the determination was not in keeping with community standards.</p> <p>In relation to other tribunals, in 2007 Qld dissolved its Judges’ Salaries and Allowances Tribunal which previously determined the level of salaries and allowances of Qld’s Judges. The salaries and allowances of Qld’s Judges are now set through the <i>Judicial Remuneration Act 2007</i> by reference to links with the salaries and allowances of Federal Judges that are determined by the Commonwealth Remuneration Tribunal.</p> <p>Qld has a Local Government Remuneration and Discipline Tribunal which among other things is responsible for deciding the remuneration that is payable to local government mayors, deputy mayors and councillors, with the exception of the Brisbane City Council which determines remuneration levels itself by using its own reference to the base salary of Qld MPs.</p> <p>While it would be possible to add responsibility for determining MP salaries and allowances to the Local Government Remuneration and Discipline Tribunal, this would invariably involve additional administrative costs and possibly the need to appoint additional tribunal members.</p>

Pages 434 through 447 redacted for the following reasons:

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Schedule 3(3) - Executive Council information

**PREMIER'S BRIEFING NOTE**

*Governance*

Tracking Folder No. TF/12/20453

Document No. DOC/12/151499

**To: THE PREMIER**  
**Date: 11 September 2012**  
**Subject: Minor updates to *Executive Council Handbook***

**Approved / Not Approved / Noted**

Premier .....

Date ...../...../.....

Date Action Required by: ...../...../.....

Requested by: .....  
(if appropriate)

**• RECOMMENDATION**

It is recommended that you **approve** the legislative and other minor updates to the *Executive Council Handbook* (the Handbook), as detailed below.

**• KEY ISSUES**

- The Handbook is available on the department's website, and contains outdated material.
- The following updates are proposed to be made immediately to improve the currency of information available to the public and government agencies:
  - o remove reference to hard copies of the Handbook being available for purchase from Goprint, as it is only available online;
  - o update references to the *Right to Information Act 2009*;
  - o update references to the *Public Service Act 2008*;
  - o reflect the Project Commencement Approval Policy which commenced on 1 July 2012;
  - o update the Executive Council Minute lodgement day and time to reflect the current process;
  - o update the titles of departments and agencies;
  - o remove specific Ministerial titles from templates;
  - o update the Executive Council Meeting Procedures (Appendix 1), to reflect current practice; and
  - o update the sample Executive Council Minutes in the appendices, to reflect current departments and legislation.
- A marked up version of the proposed changes is at **Attachment 1**.
- The former Premier's foreword to the Handbook has already been removed from the website.

Sch. 3-2

**Comments (Premier or DG)**

Jon Grayson  
Director-General

Action Officer: Rebecca Goodair  
Area: CALS  
Telephone: 322 58254

Approvals by Director /ED / DDG  
documented in *notes* in TRIM

**Executive Council Handbook  
Online Updates – September 2012**

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook.aspx>

## Queensland Executive Council Handbook

The Queensland Executive Council Handbook is part of the Governing Queensland suite of handbooks( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks.aspx> ).

It details the processes and practices associated with the effective functioning of the Queensland Executive Council, the Legislative Assembly, Cabinet, government departments and agencies.

The handbook is a guide for Ministers and departmental officers who prepare Executive Council minutes and other documents for submission to the Governor in Council. It also outlines the role of the Governor and Executive Council in the proper governance of Queensland.

### Summary

Outlined are precise requirements for the preparation of Executive Council minutes and supporting documents. Handbook features include summaries and margin notes which act as checklists for frequent users. An alphabetical index is included for ease of reference.

Due to a review of the handbook, a PDF version is currently not available. If you require a PDF version please contact the Department on +61 7 3225 8254.

### Search the Queensland Executive Council Handbook

Use the form below to search just the Executive Council Handbook pages.

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### Table of contents

- **Foreword**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/foreword.aspx> )
- **Introduction**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/introduction.aspx> )
- **The Governor**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/governor.aspx> )
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## Introduction

This edition of The Queensland Executive Council Handbook, like the various previous editions, provides information and guidance to Ministers and Departmental officers who prepare Executive Council Minutes and supporting documents for submission to the Governor in Council. It also provides information about the role of the Governor and Executive Council in the effective and proper governance of Queensland.

The handbooks provide extensive administrative detail about the processes and practices associated with the effective functioning of the Queensland Executive Council, the Legislative Assembly, Cabinet, Government departments and agencies.

This edition includes references to the *Constitution of Queensland 2001* replacing references to the repealed *Constitution (Office of Governor) Act 1987* and the *Officials in Parliament Act 1896*.

The use of summaries and notes in the wide margin is designed to facilitate swift preview of text material and also to provide checklists for frequent users. An alphabetical index has also been included in the Handbook for ease of reference. This edition will be provided on the Internet to allow access to a wider audience. Frequent users will also value the hyperlinks within the electronic text, allowing swift movement to related topics.

The Executive Council Handbook is one in a series of handbooks that provides information about:

- policy development in government agencies;
- the role of Cabinet and the Executive Council;
- the roles and responsibilities of Ministers and Ministerial staff; and
- the processes of drafting and approving laws.

The Executive Council Handbook outlines, in particular, the quite precise requirements for preparation of Executive Council Minutes and supporting documentation for matters which require consideration and approval by the Governor in Council including certain appointments, subordinate legislation, expenditure commencement of high value projects greater than delegated amounts, statutory instruments and other administrative actions.

Other titles in the series include:

- The Queensland Cabinet Handbook
- The Queensland Legislation Handbook
- The Queensland Ministerial Handbook
- The Queensland Parliamentary Procedures Handbook
- The Queensland Policy Handbook

- Welcome Aboard: A Guide for Members of Queensland Government Boards, Committees and Statutory Authorities

The Executive Council Handbook outlines, in particular, the quite precise requirements for preparation of Executive Council Minutes and supporting documentation for matters which require consideration and approval by the Governor in Council including certain appointments, subordinate legislation, ~~expenditure commencement of high value projects~~ greater than delegated amounts, statutory instruments and other administrative actions.

Constitutional and Administrative Law Services, State Affairs, the Department of the Premier and Cabinet provides expert advice and support for the proper functioning of the Executive Council process. It has an advisory role with Departments in facilitating business which Executive Councillors (Ministers) wish to submit for consideration by the Governor in Council.

The State Affairs area has been responsible for preparation of this Handbook since its initial publication in 1994. This new edition will continue to ensure that information being considered at Executive Council is of the highest quality.

The Executive Council Handbook can be accessed on the Internet via the Department of the Premier and Cabinet's website at [www.premiers.qld.gov.au](http://www.premiers.qld.gov.au) ( <http://www.premiers.qld.gov.au/> ) in the publications section, ~~or purchased from the Government Printer, Goprint.~~

Correspondence about the Executive Council Handbook should be addressed to:

The Director  
Constitutional and Administrative Law Services  
Department of the Premier and Cabinet  
PO Box 15185  
City East Qld 4002  
Australia

~~Goprint's contact details are:~~

Goprint  
371 Vulture Street  
WOOLLOONGABBA QLD 4102  
Telephone (07) 3246 3399.

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## 1.0 The Governor

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## 1.1 Powers and functions of the Sovereign

Under the Westminster system of government as practiced in Australia, the Queen as Sovereign of Australia is Head of State. *The Australia Act 1986* (Commonwealth) provides that the Queen's representative in each State is the Governor.

All powers and functions of the Sovereign in respect of the State are exercisable only by the Governor, except for the power to appoint, and the power to terminate the appointment of, the Governor. The Sovereign is not precluded from exercising any of the Sovereign's powers and functions in respect of the State while personally present in the State.

Advice to the Sovereign in relation to the exercise of the powers and functions in respect of the State is tendered by the Premier.

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## 1.2 Office of Governor

Section 11A of the *Constitution Act 1867* and section 29 of the *Constitution of Queensland 2001* provide for the office of Governor of the State.

The Governor is appointed by Commission signed by the Sovereign on advice tendered directly by the Premier. The Governor holds office during the Sovereign's pleasure. However, by convention, the appointment is made for a period of five years.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/governor/governor.aspx>

### 1.3 Powers and functions of the Governor

The Governor is authorised and required to do all things that belong to the Governor's office under any law.

The powers of the Governor are derived from the Commission of Appointment, from the provisions of the *Australia Act 1986* (Commonwealth), the *Constitution of Queensland 2001*, the *Constitution Act 1867* and from the provisions of the many Acts which require certain things to be done or approved by the Governor in Council. The *Constitution of Queensland 2001* sets out the circumstances when an Acting Governor or Deputy Governor may perform the functions of the Governor (see 3.3( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/absence.aspx> )).

The Governor also possesses certain powers known as the Royal Prerogatives, which are the powers of the Governor and not the Governor in Council. These Prerogatives have progressively been regulated by statute, beginning with the Bill of Rights in 1689 which forbade the King from raising taxes except with permission of Parliament. Some important Prerogatives remain unregulated, however.

By convention, the Governor seeks the advice of the chief advisor, the Premier, in the exercise of these powers. Notable among these are the power to dissolve or prorogue Parliament, issue writs for election (although in practice writs are issued on the advice of Executive Council), to call upon a person to form a government, and the Royal Prerogative of Pardon or Remission of sentence, enabling the Governor to pardon, commute or relieve execution of a sentence of a court or remit any fine, penalty, forfeiture or other consequence of conviction of an offender.

- ( )1. See H V Evatt, *The Royal Prerogative* (Sydney: Law Book Company, 1987).
2. Section 36 *Constitution of Queensland 2001*.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers.aspx>

## Powers, role and composition of the Executive Council

- [2.1 Legislative Basis](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/legislative.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/legislative.aspx> )
- [2.2 Role of the Executive Council](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/role.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/role.aspx> )
- [2.3 Advice from Ministers](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/advice.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/advice.aspx> )
- [2.4 Membership](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/membership.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/membership.aspx> )

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/legislative.aspx>

## 2.1 Legislative Basis

Section 48 of the *Constitution of Queensland 2001* establishes an Executive Council for the State.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/role.aspx>

## 2.2 Role of the Executive Council

The Executive Council exists to advise the Governor on the exercise of the powers of the Governor in Council. Section 27 of the *Constitution of Queensland 2001* defines the term 'Governor in Council' as meaning 'the Governor acting with the advice of the Executive Council'.

The Governor in Council gives legal effect to many of the decisions and actions of government. For example, it makes subordinate legislation for the State, including Regulations.

Administrative action under numerous Acts, such as appointments and approving deeds and leases, can only be carried out by the Governor in Council.

The Executive Council, unlike Cabinet, is not a deliberative body.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/advice.aspx>

## 2.3 Advice from Ministers

Other than in an exercise of the "Reserve Powers", in accordance with constitutional convention the Governor, as representative of the Queen, should always act on advice of Ministers. The Premier is usually the channel of communication between the Governor and the Ministry.

Cabinet is the principal decision-making body of Executive Government. It consists of the Ministers of the Crown and its decisions are given formal effect through the Parliament, in the case of Acts, and the Executive Council, in the case of matters referred to in 2.2 above. The Queensland Cabinet Handbook provides that all significant appointments, significant subordinate legislation and certain other matters identified in 5.1 must be considered by Cabinet before their formal approval by the Governor in Council.

Governor should act on the advice of Ministers with the Premier the usual channel of communication.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/powers/membership.aspx>

## 2.4 Membership

In Queensland, it is customary for Executive Councillors to be the same persons who comprise the Ministry and Cabinet. Persons are appointed as Executive Councillors immediately after being sworn in as Ministers. When Ministers resign their portfolio, they must also tender their resignations as Members of the Executive Council if they will no longer remain in the Ministry.

The Governor is not a member of the Executive Council. However, section 50 of the *Constitution of Queensland 2001* provides for the Governor to attend and preside at all meetings of the Council unless otherwise prevented from doing so. In any event, the Executive Council must not deal with any business at a meeting unless it has been summoned by the authority of the Governor.<sup>3</sup>

Ministers are also appointed as Executive Councillors.

Governor is not a member of the Executive Council.

3. Section 50 *Constitution of Queensland 2001*.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings.aspx>

## Meetings of the Executive Council

- 3.1 Time and place( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/time.aspx> )
- 3.2 Quorum( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/quorum.aspx> )
- 3.3 Absence of Governor( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/absence.aspx> )
- 3.4 Special meetings( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/special-meetings.aspx> )
- 3.5 Special meeting following cancellation of Cabinet meeting  
( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/cancellation.aspx> )
- 3.6 Meeting procedure

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/time.aspx>

### 3.1 Time and place

Meetings of the Executive Council are summoned by the Clerk of the Executive Council under the authority of the Governor and are normally held every Thursday at 11.45am in the Cabinet Room, 13th Floor, Executive Building. When Parliament is sitting, meetings of the Executive Council are held at 11.45am in the Executive Council Room (A31) at Parliament House.

Special meetings are held from time to time to deal with urgent matters. These meetings are usually held at Government House.

Meetings are normally held every Thursday at 11.45am.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/quorum.aspx>

## 3.2 Quorum

Under section 50 of the *Constitution of Queensland 2001* the Executive Council must not deal with any business at a meeting unless two Executive Councillors, exclusive of the Governor or Executive Councillor presiding, are present for the entire meeting. The Clerk of the Executive Council also attends.

Quorum = a minimum of two Executive Councillors and the Governor.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/absence.aspx>

### 3.3 Absence of Governor

When the Governor is unable to perform duties for whatever reason, provision has been made for the appointment of an Acting Governor or Deputy Governor to exercise the Governor's powers until the Governor is able to do so.

Section 40 of the *Constitution of Queensland 2001* provides that the Governor's powers may be delegated in the first instance to the Lieutenant-Governor of the State, if there is one, or the Chief Justice or the next Senior Judge of the Supreme Court, to administer the Government of the State in the event of the office of Governor becoming vacant, the Governor assuming the administration of the Government of the Commonwealth, or the Governor being incapable or absent from the State.<sup>4</sup> Currently, there is no appointed Lieutenant-Governor in Queensland.

However, in the event of the Governor being temporarily absent for a short period from the seat of government, but not from the State, or being ill (and there exist reasonable grounds for believing the illness will be of short duration), the Governor may, in accordance with section 40 of the *Constitution of Queensland 2001*, by an instrument under the Public Seal of the State, appoint a Deputy Governor.

Where the Governor is absent from the State section 41 of the *Constitution of Queensland 2001* provides for an Acting Governor to assume administration of the State by way of a Proclamation.

When the Governor's absence includes a scheduled Executive Council meeting the Acting Governor or Deputy Governor presides at Executive Council in the Governor's absence.

The Executive Council Secretariat will inform Departments of the appointment of an Acting Governor or Deputy Governor so that Executive Council documents may be prepared accordingly.

4. No Lieutenant-Governor has been appointed in Queensland for over fifty years. If a Lieutenant-Governor was appointed, this would only mean that the Lieutenant-Governor would act as Governor in preference to a member of the judiciary.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/special-meetings.aspx>

### 3.4 Special meetings

On some occasions urgency may require that a matter be considered before the next scheduled meeting of the Executive Council. In such cases, the relevant Minister must consult with the Premier to obtain agreement to seek the approval of the Governor for a special meeting to be held. All Minutes submitted to a special meeting require the Premier's initials on the Minute cover as well as that of the sponsoring Minister.

Subject to the Premier's agreement the Minister should then seek the approval of the Governor to summon a special meeting of the Executive Council. The Governor should be informed of the reasons for the urgency. This advice should be confirmed by fax to the Governor (Government House fax (07) 3858 5701).

Special meetings should only be considered for urgent matters.

If the Governor approves the special meeting, the Minister's Office then must advise the Executive Council Secretariat of the time when the special meeting will take place. The relevant Executive Council Minute(s) should be delivered to the Premier's Office (to obtain the Premier's initials) and then to the Executive Council Secretariat without delay for processing.

The sponsoring Minister and at least one other member of the Executive Council (attendance having been arranged by the sponsoring Minister) are required to attend the special meeting which would normally be held at Government House. The Clerk of the Executive Council also attends.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/cancellation.aspx>

### **3.5 Special meeting following cancellation of Cabinet meeting**

On some occasions a Cabinet meeting may be cancelled. On these occasions the Premier will determine whether a special meeting will be held in place of the ordinary meeting and whether all business or urgent matters only should proceed to that meeting.

If a meeting of Cabinet is cancelled the Executive Council Secretariat contacts Departments to advise of the Premier's determination in regard to a special meeting of the Executive Council and the arrangements to be followed.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/meetings/procedure.aspx>

### 3.6 Meeting procedure

Standard procedure for an ordinary Executive Council meeting is at [Appendix 1](#) (.doc, 36 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/executive-council-meeting-procedure.doc> ).

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support.aspx>

## Executive Council Support Services

- [4.1 Location and role](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/role.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/role.aspx> )
- [4.2 Clerk of the Executive Council](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/clerk.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/clerk.aspx> )
- [4.3 Public Seal of the State](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/seal.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/seal.aspx> )
- [4.4 Executive Council documentaion](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/documentation.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/documentation.aspx> )
- [4.5 Index of Executive Council Minutes](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/minutes.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/minutes.aspx> )
- [4.6 Executive Council database](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/database.aspx)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/database.aspx> )
- [4.7 Cabinet Legislation and Liaison Officers](#)

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/role.aspx>

## 4.1 Location and role

The Executive Council Secretariat is located at Constitutional and Administrative Law Services, State Affairs, Department of the Premier and Cabinet, 4th Floor Executive Building, 100 George Street, Brisbane.

The Executive Council Secretariat provides advice to all Departments on all Executive Council matters including assistance in drafting Executive Council Minutes.

Inquiries regarding Executive Council matters should be directed to the Executive Council Secretariat on telephone (07) 3224 4819 in the first instance. The fax number is (07) 3229 7494 email address is [exco@premiers.qld.gov.au](mailto:exco@premiers.qld.gov.au).

Departments should inform the Secretariat of the names and telephone numbers of those officers in the Departments who are responsible for the preparation of Executive Council Minutes.

Has the Secretariat got your Department's current details?

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/clerk.aspx>

## 4.2 Clerk of the Executive Council

Since separation from New South Wales in 1859, there has been a position of Clerk of the Executive Council. This position is not formally created in legislation but has always existed to carry out the administrative functions of the Executive Council.

The main duties of the Clerk of the Executive Council are to:

- arrange meetings of Executive Council when summoned on authority of the Governor;
- prepare the necessary documents for matters which have been approved for submission to the Executive Council;
- be responsible for the maintenance and custody of all records of Executive Council;
- record and certify the proceedings of the meetings of Executive Council;
- make arrangements for the appointment of Governors, Acting Governors and Deputy Governors;
- make arrangements for the swearing-in of new Ministries, Ministers and Executive Councillors; and
- seal all public instruments which are made and issued in the Sovereign's name or the Governor's name.

The role of Clerk of the Executive Council is performed by senior officers of the Department of the Premier and Cabinet.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/seal.aspx>

### 4.3 Public Seal of the State

Section 37 of the *Constitution of Queensland 2001* authorises the Governor to keep and use the Public Seal of the State for sealing all public instruments made and issued in the Sovereign's name.

The Executive Council Secretariat is the day-to-day custodian of the Seal.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/documentation.aspx>

## 4.4 Executive Council documentation

Departments maintain copies of their own Executive Council Minutes. The original Minute cover and copies of associated documentation are maintained and archived by the Executive Council Secretariat.

Requests for access to Executive Council Minutes should be made to the Clerk of the Executive Council including requests for records held by Queensland State Archives. However, it should be noted that if a Department requires a previous Executive Council Minute prepared by another Department, the requesting Department must first gain the consent of the Department that lodged the Executive Council Minute prior to contacting the Executive Council Secretariat.

Section 3748 of the *Freedom of Information Act 1992* *Right to Information Act 2009* provides for an exemption for that documents and information brought into existence for the purpose of Executive Council matter are exempt from release under the Act. The Act also provides, under section 76, that the Information Commissioner may require the production of documents to determine whether the documents are exempt. Section 16 of the *Public Records Act 2002* establishes a restricted access period of 30 years for Executive Council matter (see also 6.17).

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/minutes.aspx>

## 4.5 Index of Executive Council Minutes

The Executive Council Secretariat maintains an annual index of all Executive Council Minutes.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/database.aspx>

## 4.6 Executive Council database

The Executive Council Secretariat maintains two databases. The first database links the subject of individual Minutes with Ministers, meeting dates, Minute numbers and key words. This database is an electronic record of Executive Council activity and transactions. It is used to help compile the Schedule of Minutes for Cabinet, to create the annual index, and to assist with collection and analysis of statistical reports on Executive Council business. The database may also be used to assist Departments locate Minutes from 1994 onwards. The Executive Council Secretariat also maintains a database of electronically scanned Minutes dating back to 1986. This database allows electronic copies of Minutes to be retrieved and reproduced.

The Executive Council database can assist in locating past Minutes.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/support/liaison.aspx>

## 4.7 Cabinet Legislation Liaison Officers

Generally, the Cabinet Legislation and Liaison Officer (CLLO) is the officer in each Department responsible for the flow of all matters from the relevant Department or statutory body to the Executive Council Secretariat (as well as to the Cabinet Secretariat). This responsibility includes quality control over papers submitted for Executive Council consideration.

In relation to Executive Council matters the CLLO is to:

- ensure that, where required, prior Cabinet approvals have been obtained (see 5.1 below);
- ensure that proposed Executive Council documents are prepared in accordance with the appropriate legislative requirements;
- provide a point of contact for the Clerk of the Executive Council on all Executive Council matters;
- communicate details of matters approved by the Governor in Council to appropriate officers in the Department and portfolio agencies;
- ensure that all documents prepared for Executive Council comply with format requirements;
- maintain a complete record of Executive Council Minutes for the Department;
- ensure safe storage and confidentiality of Executive Council documents; and
- co-ordinate any Departmental requests for advice on Executive Council matters including requests for certified copies of Executive Council Minutes.

The Cabinet Legislation and Liaison Officer is the key Departmental officer in ensuring the quality and timeliness of a Department's Executive Council business.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters.aspx>

## Matters for Executive Council

- 5.1 Matters for consideration by Cabinet prior to submission to Governor in Council  
(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/prior.aspx> )
- 5.2 Matters for consideration by Governor in Council

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/prior.aspx>

## 5.1 Matters for consideration by Cabinet prior to submission to Governor in Council

Departments must ensure that, where necessary, any matters requiring prior Cabinet approval have received that approval before Executive Council Minutes are submitted to the Executive Council Secretariat.

Some matters need Cabinet approval prior to submission to the Governor in Council.

Matters requiring approval by Cabinet are listed in the Queensland Cabinet Handbook

(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/cabinet-handbook.aspx>).

Matters for which prior Cabinet approval may be necessary before proceeding to an Executive Council Minute include:

- proposals that will require new or amending legislation including subordinate legislation that is significant in scope or of political or administrative importance;
- all significant appointments to statutory offices, boards, commissions and principal advisory bodies set up under statute, and all appointments of Members of Parliament to Government bodies;
- ~~expenditure on contracts~~ commencement of high value projects valued over an amount determined prescribed from time to time by Government policy;
- proposed subordinate legislation (other than exempt subordinate legislation) not drafted by the Office of the Queensland Parliamentary Counsel; and
- matters likely to have a considerable impact on relations with Commonwealth, Local and other State Governments, community groups, employer groups, the unions, or on community relations.

Where a matter requires approval by both Cabinet and the Governor in Council, the matter must first be submitted to Cabinet for consideration and then, following Cabinet approval, to the Governor in Council. Except in the case of significant appointments and ~~expenditure project commencement~~ approvals, it is not appropriate for an Executive Council Minute to be submitted with the associated Cabinet Submission as this would be pre-empting Cabinet's determination on the matter.

Significant appointments and ~~expenditure project commencement~~ approvals are the only matters which can be considered by Cabinet and the Governor in Council the same week.

If, because of urgency, both documents need to be presented at the same time, such action should be discussed initially with the Executive Council Secretariat.

In the event that the matter is not approved by Cabinet, contact should be made **urgently** with the Executive Council Secretariat to ensure that the Executive Council Minute does not proceed.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx>

## 5.2 Matters for consideration by Governor in Council

Matters which require consideration and approval by the Governor in Council include:

- Issuing of Commissions;
- certain appointments including Judges, Magistrates, Chief Executives and Senior Executive Service officers, members of some boards and statutory bodies, and Justices of the Peace (see Other Appointments 5.2.2( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.2\\_Other\\_Appointments](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.2_Other_Appointments) ));
- expenditure commencement of high value projects valued over the limits prescribed from time to time;
- the fixing of numbers and levels of Senior Executives to be employed in a Department under the *Public Service Act 2008* ~~1996~~;
- Proclamations setting dates for the commencement of legislation;
- Orders in Council relating to borrowings by local governments, statutory bodies; exemptions from stamp duties; town plans; boundaries of local governments; acquisition of land; and declaration of National Parks;
- notices for the resumption of land and easements;
- Administrative Arrangements;
- new and amending subordinate legislation to be made or approved by the Governor in Council;
- loan guarantees; and
- unforeseen expenditure.

This list is not intended to be exhaustive. A large proportion of the legislation enacted by the Queensland Parliament has delegated power to the Governor in Council which is the principal subordinate legislation instrumentality in the State. Each Department must be familiar with its legislation, both principal and subordinate, and matters requiring Governor in Council approval. If there is any uncertainty regarding the necessity for a matter to be submitted to the Governor in Council for approval, advice should be sought from the Executive Council Secretariat in the first instance.

Each Department must be familiar with matters which require Governor in Council approval.

A brief outline of some of the most common matters submitted by Departments to the Governor in Council follows. A detailed overview of the format of Executive Council documents is at [Chapter 8 - Executive Council Documents](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents.aspx) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents.aspx>).

- [5.2.1 Commissions and Letters Patent](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.1_Commissions_and_Letters_Patent) ([http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.1\\_Commissions\\_and\\_Letters\\_Patent](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.1_Commissions_and_Letters_Patent) )
- [5.2.2 Other Appointments](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.2_Other_Appointments) ([http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.2\\_Other\\_Appointments](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.2_Other_Appointments) )
- [5.2.3 Expenditure 5.2.3 Project Commencement Approvals](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.3_Project_Commencement_Approvals) ([http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.3\\_Project\\_Commencement\\_Approvals](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.3_Project_Commencement_Approvals)Expenditure )
- [5.2.4 Revised Expenditure 5.2.4 Significant Variance to Project Approvals](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.4_Significant_Variance_to_Project_Approvals) ([http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.4\\_Significant\\_Variance\\_to\\_Project\\_Approvals](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.4_Significant_Variance_to_Project_Approvals)Revised Expenditure )

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- **5.2.5 Grants**( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.5\\_Grants](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.5_Grants) )
- **5.2.6 Proclamations**( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.6\\_Proclamations](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.6_Proclamations) )
- **5.2.7 Subordinate legislation**( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.7\\_Subordinate\\_legislation](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.7_Subordinate_legislation) )
- **5.2.8 Statutory Instruments**( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.8\\_Statutory\\_Instruments](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.8_Statutory_Instruments) )
- **5.2.9 Approval of matters retrospectively**( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.9\\_Approval\\_of\\_matters\\_retrospectively](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.9_Approval_of_matters_retrospectively) )

### 5.2.1 Commissions and Letters Patent( )

A number of Acts require that certain persons should be appointed to office by the Governor by Commission or Letters Patent. Appointments by Letters Patent are restricted to a few office holders, notably Commissioners or Chairpersons of Commissions of Inquiry.

Each Commission should be prepared in the standard format and settled by the Crown Solicitor.

Two copies of the Commission must be signed by the Minister before submission to the Executive Council Secretariat.

A sample Commission is at [Appendix 2](#) (.doc, 46 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-commission.doc> ).

### 5.2.2 Other Appointments( )

Appointments under the *Public Service Act 2008* ~~1996~~.

The appointment of Chief Executives and Senior Executives under the *Public Service Act 2008* ~~1996~~ is by the Governor in Council. A sample Minute for the appointment of a Senior Chief Executive is at [Appendix 3](#) (.doc, 55 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-public-service-appointment-minute.doc> ) and the transfer of a Senior Executive is at [Appendix 4](#) (.doc, 52 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-public-service-transfer-minute.doc> ). It should be noted that appointments of Senior Executives do not take effect from the date of Governor in Council approval but from the date of gazettal for a later date if specified in the gazettal notice. Such appointments cannot be retrospective. Agencies preparing Minutes under the *Public Service Act 1996* should consult the Office of These Minutes are prepared by the Public Service Merit and Equity Commission.

Appointments to the judiciary and selected quasi-judicial appointments do not appear in the ordinary Schedule of Minutes for Cabinet. These appointments are not submitted for Cabinet's consideration but are counter-initialled by the Premier prior to entry on a Special Schedule of Minutes for Governor in Council consideration.

Other statutory appointments.

Appointments of Justices of the Peace and Chairpersons and Members of the Boards of Statutory Bodies are normally made by the Governor in Council. These appointments take effect from the date of approval by the Governor in Council, unless a later date is stated, and not from the date of approval by Cabinet. Crown Law advice must be obtained as to whether such appointments can be made retrospectively (see 5.2.9(

[http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.9\\_Approval\\_of\\_matters\\_retrospectively](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.9_Approval_of_matters_retrospectively) ) below),

Appointment Minutes must include a short curriculum vitae.

Where an appointment is being proposed as a result of a recruitment and selection process, details of this process should be included in the Explanatory Memorandum to the Minute. Also included in an appointment Executive Council Minute, must be a short curriculum vitae (two pages or less) for each appointee, including re-appointees and transfers under the *Public Service Act 2008*~~1996~~. This is for the information of the Governor and Executive Councilors.

Remuneration must be reflected in dollar amounts.

Where a new member is being proposed for appointment to an existing board or statutory body, the Explanatory Memorandum accompanying the Minute (see Chapter 8(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents.aspx> )) should indicate whom the person is replacing and the reason for the replacement. Where fees are payable the dollar amount of fees is to be included in the Minute recommendation or schedule, not a Category description from the Department of Industrial Relations *Public Service Commission's Procedures for the Remuneration of Part-time Chairs and Members of Government Boards, Committees and Statutory Authorities*.<sup>5</sup> A sample schedule for a Minute seeking approval of remuneration is at [Appendix 5](#) (.doc, 32 KB)(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/appointment-remuneration-schedule.doc> ).

5. This is the reverse of arrangements applying in Cabinet submissions, where the Category generally is provided. This is because the Department of Industrial Relations *Public Service Commission* Categories are Cabinet policy and do not have statutory status, while the various statutory provisions relating to appointments require that remuneration (i.e. not a category of fees) be determined by the Governor in Council.

Ministers are required to raise all proposed appointments, regardless of whether they are significant or not, with the Premier in writing in accordance with section 5.1.7 of the Cabinet Handbook.

Where an appointment is required to be made by gazette notice, a copy of the proposed notice should be included with the relevant Minute.

Irrespective of whether appointing or re-appointing a member(s) to a board, the title on the Minute cover should read AN APPOINTMENT or APPOINTMENTS. A sample Minute recommending an appointment to a statutory body is at Appendix 6 (.doc, 202 KB)(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-appointment-minute.doc>).

Following Governor in Council approval of an appointment to a statutory body or statutory office, a congratulatory letter including a copy of Welcome Aboard: A Guide for Members of Queensland Government Boards, Committees and Statutory Authorities is forwarded by the Premier.

Departments are asked to provide the Executive Council Secretariat with appointees' current addresses, with the lodged Minute, to assist with the congratulatory letter process. Letters of appointment should also be signed by the Minister or the Chief Executive citing the authority for the appointment as the Governor in Council and outlining the role to be performed.

Letters should be sent advising members of their appointment.

### 5.2.3 Expenditure Project Commencement Approvals ( )

~~Current prescribed expenditure delegations.~~

~~Expenditure - The commencement of high value projects exceeding the maximum level prescribed for Ministers from time to time requires the approval of the Governor in Council. A sample Minute proposing expenditure a project commencement approval is at Appendix 7 (.doc, 211 KB)(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-expenditureproject-commencement-approval-minute.doc>).~~

~~A project is defined as a discrete collection of activities to achieve a specified result within a defined timeframe and can comprise one or more contracts.~~

~~Governor in Council approval must be sought for the commencement of high value projects valued over where the value or estimated value of the contract or project exceeds \$10 000 000 (including GST).~~

~~Approval for contract expenditure should be considered in terms of the total cost of a project or major component of a project. In circumstances where the total cost of a project is in excess of a Minister's delegation level but the total includes contracts within the Minister's delegation level, Governor in Council approval must be sought for the total project expenditure. Once Governor in Council approval of the total project expenditure is obtained, it is not necessary for further Governor in Council approval to be sought for contracts within the approved total project expenditure value.~~

~~Where the amount of contract or project expenditure includes a Goods and Services Tax (GST) component, it is recommended that agencies seek approval for the entire contract amount (i.e. inclusive of GST).~~

A number of salient issues are outlined below to assist with the preparation of Executive Council Minutes for ~~expenditure~~ project commencement approvals. This section should be read in conjunction with Chapter 8 - Executive Council Documents (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents.aspx> ).

~~Apart from the expenditure delegations approved by Governor in Council from time to time, there is no other general legal provision requiring Governor in Council approval of expenditure. Officers drafting expenditure Minutes should consult with the finance section of their agency with respect to audit requirements.~~

The Executive Council documentation required for a project commencement approval ~~an expenditure Minute~~ is the same required for all Executive Council Minutes i.e. a Minute cover outlining the sponsoring ~~d~~Department, title and recommendation, and an Explanatory Memorandum consisting of standard headings. (Note: as Governor in Council approval for expenditure commencement of a high value project is generally required by Government policy only, ~~is generally required by the expenditure delegations only~~, an Act of Parliament should not be referenced on the Minute cover or in the Explanatory Memorandum).

~~Use of schedules in expenditure Minutes:~~

As a minimum, the recommendation should include the quantum of the total project ~~value or contract amount~~ (inclusive of GST) in respect of which approval is sought and an adequate description of the subject of the proposed ~~project expenditure~~. The use of a Schedule referenced in the recommendation on the Minute cover may be useful in providing a simpler way of presenting relevant information for the consideration of the Executive Council.

The Explanatory Memorandum should include the name of the project, information in relation to the purpose of the expenditure, a description of the project, the total estimated value of the project, the departments seeking the approval as well as the departments involved in the project and details of major key milestone dates associated with the project, the tendering process and the tenderer to be awarded the project. If the Minute is seeking approval for ~~expenditure the commencement of~~ a number of projects, this detail should be provided for each project.

Information should also be provided regarding how the project is to be funded ~~the proposed funding source~~, for example, Cabinet Budget Review Committee approval decision number (where appropriate) or where a special funding allocation has been made or where funding is to be provided from a particular ~~D~~departmental budget.

Where relevant, reference should also be made to any employment impact, for example, the number of person ~~year~~ weeks of employment the project is expected to generate. For Departments that do not have a specific formula used to calculate employment impact should,

refer to Queensland Treasury and Trade's most recent instructions for completing Budget Paper No 3 - Capital Statement. These instructions, which should be available from dDepartmental finance areas, provide a pro-forma for calculating employment impacts. Otherwise, contact should be made with the dDepartment's Treasury Analyst.

A copy of the Project Commencement Approval Policy is available on the Queensland Treasury and Trade website at:

<http://www.treasury.qld.gov.au/office/knowledge/docs/project-commencement-approval-policy/index.shtml>.

#### **5.2.4 Revised Expenditure Significant Variance to Project Approval( )**

An Executive Council Minute seeking approval for revised expenditure a variance to a project should be prepared as soon as there is an indication that a project approved by the Governor in Council will exceed the original approved amount by 10% or more or where a project previously approved by the Minister or accountable officer or delegate exceeds \$10 000 000 (including GSTV (that is, a level of expenditure that is greater than 10% of an amount previously approved by the Governor in Council -- v Variations of up to 10% of the original approval may be approved by the Minister or delegate. ), requires the same documentation as that mentioned above. The Minute cover should indicate the total amount of expenditure project value, that is, the sum of the original approval and the additional amount sought.

Revised expenditure Minute requirements. The Explanatory Memorandum seeking approval for significant variations to a project should include the name of the project, details of any previous consideration by the Governor in Council or Cabinet Budget Review Committee (including decision numbers where appropriate), for the project as well as the revised total estimate for the project, reasons for the variations, and how the additional costs are to be funded.

Additional information required includes a reference to the Executive Council Minute number and date of the original Governor in Council approval, The quantum of the additional expenditure amount required and the total amount now requiring approval. These additional details are best shown in a Schedule referenced in the Minute recommendation. Reason(s) for the increased amount should be included in the Explanatory Memorandum for the information of the Governor and Executive Councillors. A sample revised project approval expenditure Minute including the Explanatory Memorandum and Schedule is at Appendix 8 (.doc, 205 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-revised-projectexpenditure-approval-minute.doc> ).

#### **5.2.5 Grants( )**

Allocation of grants-

Governor in Council approval is also sought where an agency grants significant sums of money to another entity for various purposes rather than contracting directly for goods and services. For the allocation or distribution of expenditure funds through grants, the Project Commencement Approval policy and its same delegation levels apply. If the total allocation is in excess of a Minister's delegation level but the total includes allocations within the Minister's delegation level, Governor in Council approval must be sought for the total allocation amount expenditure. This also applies when the source of funding expenditure is other than the State Government e.g. Commonwealth funding, given that the State has the ultimate administrative responsibility for making the allocation.

Project commencement approvals Expenditure in the form of a grant should follow the same format as for a project commencement approval expenditure Minute. The title of the Minute should be EXPENDITURE. The Recommendation should read, for example: "The Council recommends to Her Excellency the Governor that expenditure of \$1 200 000 in the form of a grant to ABC Institute Ltd to conduct research into DEF be approved". A sample Expenditure Project Commencement Approval Minute (in the form of a grant) is at Appendix 9 (.doc, 43 KB) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-expenditureproject-commencement-approval-minute-grant.doc>).

## 5.2.6 Proclamations ( )

Some legislation does not commence until proclaimed. Such proclamations are subordinate legislation. Each Department must ensure that all Proclamations are signed by the Minister prior to submission to the Executive Council Secretariat.

A sample Proclamation is at Appendix 10 (.doc, 39 KB) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-proclamation.doc>).

Proclamations which are subordinate legislation must be drafted by the Office of the Queensland Parliamentary Counsel (OQPC) and notified in the Queensland Government Gazette. Other Proclamations must be published in the Queensland Government Gazette in full.

## 5.2.7 Subordinate legislation ( )

The Office of the Queensland Parliamentary Counsel (OQPC) drafts all subordinate legislation other than exempt subordinate legislation. Where OQPC has drafted an instrument, a copy of the instrument certified by OQPC must be included with the Minute. The title of an amending instrument always includes a number e.g. the number (2) in the title "*Corrective Services Amendment Regulation No. (2) 2003*". The number must be filled in by the sponsoring agency before the instrument is forwarded to the Executive Council Secretariat. If uncertain as to the number, consult the Executive Council Secretariat before finalising the Minute for the sponsoring Minister's signature.

6. Exempt subordinate legislation is defined by section 2 of the *Legislative Standards Act 1992*.

Exempt subordinate legislation is a statutory rule (other than a regulation) declared to be exempt subordinate legislation by an Act or a Regulation under the *Legislative Standards Act 1992*.

Office of the Queensland Parliamentary Counsel arranges the gazettal and tabling of subordinate legislation.

The making of subordinate legislation must be notified in the Queensland Government Gazette.

The notice must specify the places where copies of the legislation can be obtained (section 47 of the *Statutory Instruments Act 1992*). OQPC arranges for notification of subordinate legislation and tabling in Parliament if (and only if) it drafts the subordinate legislation.

Agencies must ensure that, in relation to exempt subordinate legislation and other statutory instruments, the prescribed notification and tabling requirements are met. Subordinate legislation ceases to have effect notwithstanding Governor in Council approval if it is not tabled in the Legislative Assembly within 14 sitting days of its making.

Significant subordinate legislation must be considered by Cabinet prior to the Governor in Council.

Departments should note that significant subordinate legislation must also be considered by Cabinet prior to being presented to the Governor in Council for approval. (See Section 7.4 of the Cabinet Handbook for what is significant subordinate legislation in this context.)

The need for Compliance Certificates.

All Executive Council Minutes relating to subordinate legislation should include a Compliance Certificate signed by the Chief Executive to indicate that the requirements of the Scrutiny of Legislation Committee in relation to Regulatory Impact Statements have been taken into consideration unless specifically exempted. Subordinate legislation commencing the provisions of primary legislation (section 46 of the *Statutory Instruments Act 1992*) and Court Rules (section 118B of the *Supreme Court Act 1991*) are examples of subordinate legislation exempted from the requirements for a Regulatory Impact Statement.

If a Regulatory Impact Statement or Explanatory Notes have been prepared for subordinate legislation, a copy of the statement or notes must be included with the relevant Minute. This also applies to any National Scheme Regulatory Impact Statement prepared in another jurisdiction. If the subordinate legislation was drafted by OQPC, the Regulatory Impact Statement or Explanatory Notes for the subordinate legislation must be formatted by OQPC and bear its stamp evidencing the formatting. This allows OQPC to arrange for their tabling with the subordinate legislation and, in due course, to publish them in the annual volumes of Queensland Subordinate Legislation. If the statement or notes do not bear OQPC's stamp, the progress of the Minute to Executive Council may be delayed.

Where subordinate legislation deals with fees or charges the explanatory memorandum should indicate whether the proposed action represents an increase, decrease or no change to previous structures. Where proposed changes relate to an increase in the Consumer Price Index, this should be noted.

Samples of subordinate legislation are at Appendices 11 (.doc, 45 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-subordinate-legislation.doc> ) and 12 (.doc, 44 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-subordinate-legislation-previous.doc> ).

A sample a Compliance Certificate is at Appendix 13 (.doc, 31 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-compliance-certificate.doc> ).

### 5.2.8 Statutory Instruments( )

The meaning of statutory instruments is defined in section 7 of the *Statutory Instruments Act 1992*.

Statutory instruments must be settled by the Crown Solicitor.

Statutory instruments, other than subordinate legislation, should be settled by the Crown Solicitor. Any statutory instrument settled by the Crown Solicitor must be certified by the Crown Solicitor and the certified copy included in the Executive Council Minute.

Departments must arrange publication and tabling, where applicable, of statutory instruments not drafted by OPC (see also 7.1 below). All Orders in Council must be either notified or published in the Government Gazette (section 10 of the *Statutory Instruments Act 1992*).

Where a statutory instrument deals with interests in or over land, the explanatory memorandum should indicate whether Native Title implications have been considered.

A sample statutory instrument is at Appendix 14 (.doc, 35 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-statutory-instrument.doc> ).

### 5.2.9 Approval of matters retrospectively( )

Generally the Governor in Council will not approve matters retrospectively. However, where the Minister proposes, for a particular reason, that a matter should be approved retrospectively (irrespective of the means in which the retrospective matter is being proposed), the advice of the Crown Solicitor should be obtained regarding the legality of the action. A copy of that advice should be included with the Executive Council Minute and referenced in the Explanatory Memorandum.

The Crown Solicitor's advice must be obtained for proposed retrospective matters other than subordinate legislation.

In general, beneficial provisions contained in a statutory instrument may be approved retrospectively. Beneficial provisions are those which do not operate to the disadvantage of a person (other than the State, a State statutory body or a local government) by decreasing the person's rights or imposing liabilities on the person. Section 34 of the *Statutory Instruments Act 1992* provides that a beneficial provision of a statutory instrument may be given retrospective operation if the instrument expressly provides for that operation.

The Crown Solicitor's advice is not necessary where the retrospective matter is contained in subordinate legislation that is drafted by OQPC.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures.aspx>

## Executive Council procedures

- **6.1 Notification of meetings**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/notification.aspx> )
- **6.2 Lodgement of Executive Council documents**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/lodgement.aspx> )
- **6.3 Approval process**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/approval.aspx> )
- **6.4 Late Minutes**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/late-minutes.aspx> )
- **6.5 Withdrawal of whole Minute listed on the**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/withdrawal-min-listed.aspx> )
- **6.6 Partial withdrawal of a Minute listed on the schedule which is considered at Cabinet**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/partial-withdrawal.aspx> )
- **6.7 Withdrawal of whole Minute after Cabinet has met**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/withdrawal-whole.aspx> )
- **6.8 Partial withdrawal of a Minute after Cabinet has met**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/partial-withdrawal-after.aspx> )
- **6.9 Revoking a Minute**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/revoking-minute.aspx> )
- **6.10 Rescinding a Minute**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/rescinding.aspx> )
- **6.11 Amending or correcting a Minute**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/amending.aspx> )
- **6.12 Jointly sponsored Minutes**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/jointly.aspx> )
- **6.13 Return of Minutes following approval**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/return.aspx> )
- **6.14 Executive Council procedures for an Acting Minister**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/acting-minister.aspx> )
- **6.15 Release of information by Executive Council Secretariat**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/release.aspx> )
- **6.16 Confidentiality of proceedings**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/confidentiality.aspx> )
- **6.17 Freedom of Right to Information requests**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/freedom.aspx> )
- **6.18 Announcement of Executive Council decisions**

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/notification.aspx>

## 6.1 Notification of meetings

Meetings of the Executive Council are summoned on the authority of the Governor.

As indicated in 3.1 above, meetings of Executive Council are normally held on Thursday each week after Cabinet meets on the Monday.

The Clerk of the Executive Council gives Executive Councillors approximately seven days notice of meeting times and venue. Notice is in writing and includes a Schedule of Minutes to be considered at the meeting. The Clerk summons meetings of the Council under the authority of the Governor or the person for the time being administering the State.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/lodgement.aspx>

## 6.2 Lodgement of Executive Council documents

Minutes must be lodged with the Secretariat by 10.00am on Monday ~~Fuesday~~s.

Executive Council Minutes must be lodged with the Executive Council Secretariat by 10.00am each Mon ~~Fuesday~~. These Minutes will be considered by the Governor in Council at a meeting held on the Thursday of the following week. If it is not possible for Minutes to be submitted by this time, the Executive Council Secretariat must be contacted prior to this time and will advise of alternative arrangements. It is important to keep the Executive Council Secretariat informed in relation to all potential delays with Executive Council documentation.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/approval.aspx>

## 6.3 Approval process

Approval by Executive Councillors at Cabinet.

There are two parts to the approval process.

The first part of the approval process involves the submission of Executive Council Minutes to Executive Councillors (i.e. Ministers) for consideration.

Following receipt of Minutes each ~~Monday~~ Tuesday the Executive Council Secretariat prepares a proposed Schedule of Minutes for consideration by Executive Councillors. Copies of the Schedule are provided to the Cabinet Secretariat and these are distributed to each Executive Councillor and each Departmental Chief Executive prior to the Cabinet meeting. No Minutes can be added to the Schedule once it is distributed with the Cabinet bag. If Executive Councillors agree that the matters incorporated in the Schedule should proceed to the Governor in Council, the original Schedule, which is endorsed 'Executive Councillors recommend to Her Excellency the Governor that the Minutes detailed in the accompanying Schedule be approved', is initialled by each Executive Councillor at the regular Cabinet meeting.

Approval by the Governor in Council.

The second part of the approval process is the submission of the Minutes to the Governor in Council for approval. Each Minute is signed by the Governor at a meeting of the Executive Council the following Thursday (see [Appendix 1](#) (.doc, 36 KB) (

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/executive-council-meeting-procedure.doc>)).

After approval, the original Minute cover, together with copies of supporting documents referred to in the Minute, are retained by the Executive Council Secretariat as a permanent record of Executive Council action.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/late-minutes.aspx>

## 6.4 Late Minutes

A late Minute is an Executive Council Minute which, because of time constraints, is required to be submitted to the Governor in Council for consideration at a normal Thursday meeting of the Council without having been included on the Schedule of Minutes considered by Cabinet on the Monday.

Minutes not on the original Schedule will only be considered by the Executive Council with the approval of the Premier. Only in circumstances where genuine, unforeseen, urgent matters of State arise, should the submission of late Minutes be considered.

A Minister wishing to submit a late Minute prepared after Cabinet has met must obtain the approval of the Premier to do so. A written request for approval should be submitted to the Premier stating the reasons for urgency. In addition, concurrent verbal advice is to be given to the Premier or the Premier's Chief of Staff advising of the proposed late Minute and again stating the reasons for its urgency. The Executive Council Secretariat should be kept informed of any proposed late Minutes. (Telephone 322 58254)

The Minute must be initialled by both the sponsoring Minister and the Premier if it is to be considered at the Executive Council meeting.

It is preferable for a Minister lodging a late Minute to attend the Executive Council meeting on the Thursday where the Minister will be expected to explain the reasons for urgency of the late Minute to the Governor.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/withdrawal-min-listed.aspx>

## 6.5 Withdrawal of whole Minute listed on the schedule which is considered at Cabinet

A Minute that has been included on the Schedule can be withdrawn by the sponsoring Minister at the Cabinet meeting at which it is considered.

If a Minute is withdrawn at Cabinet the inside cover of the Schedule is endorsed 'MINUTE(S) Number(ed) [ ] withdrawn at the request of the Honourable Minister(s)' and signed by the Premier and sponsoring Minister(s). The relevant entry on the Schedule is later scored through by the Executive Council Secretariat.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/partial-withdrawal.aspx>

## 6.6 Partial withdrawal of a Minute listed on the schedule which is considered at Cabinet

In the case of aggregated Minutes (see 8.5 below), a sponsoring Minister may withdraw part of a Minute proposing a number of actions if that part is covered by a discrete Explanatory Memorandum. Normally the part sought to be withdrawn will be an entire schedule or other enclosure. No more than one Explanatory Memorandum should cover a single schedule or other enclosure.

The responsible Minister must initiate a withdrawal of a Minute at Cabinet.

Withdrawal of part of a Minute should be effected by the sponsoring Minister at the Cabinet meeting at which it is considered. Sponsoring agencies should advise the Executive Council Secretariat as soon as they become aware that a partial withdrawal will be necessary. The Secretariat and Minister should be supplied with a copy of the affected Minute cover showing the part(s) to be withdrawn scored through. The Secretariat and the Minister should also be provided with a copy of the relevant Explanatory Memorandum and any enclosures affected by the partial withdrawal.

If part of a Minute is withdrawn at Cabinet, the sponsoring Minister:

- scores through the part to be withdrawn on the Minute cover (title and text) and initials the scoring; and
- annotates the inside cover of the Schedule of Minutes 'MINUTE(S) Number(ed) [ ] amended as shown on the Minute cover(s)'.

A sample Minute showing the required scoring for the withdrawal of a part of a Minute is at [Appendix 15](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-showing-partial-withdrawal.doc) (.doc, 199 KB) ( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-showing-partial-withdrawal.doc> ). The relevant section on the inside cover of the Schedule of Minutes is then signed by the Premier and sponsoring Minister(s).

The Clerk of the Executive Council will later score through and initial any enclosed schedule displaced by the withdrawn part together with the withdrawn Explanatory Memorandum and associated papers and amend and initial the relevant entry in the Schedule of Minutes.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/withdrawal-whole.aspx>

## 6.7 Withdrawal of whole Minute after Cabinet has met

When a Minute is to be withdrawn after it has been endorsed by Cabinet for submission to Executive Council, the sponsoring Minister or Chief Executive must advise the Clerk of the Executive Council in writing stating the reason(s) for the withdrawal. If the withdrawal letter is signed by the Chief Executive, it should include confirmation that the withdrawal is being effected with the knowledge of the Minister.

When a Minute is withdrawn the Executive Council Secretariat will return it to the sponsoring agency concerned after the Executive Council meeting for which it was originally submitted.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/partial-withdrawal-after.aspx>

## 6.8 Partial withdrawal of a Minute after Cabinet has met

When part of a Minute is to be withdrawn after it has been endorsed by Cabinet, the sponsoring Minister or Chief Executive must advise the Clerk of the Executive Council in writing stating the reason(s) for the withdrawal. A copy of the original Minute cover should be included with the part to be withdrawn scored through, together with a copy of any enclosed schedule and the Explanatory Memorandum covering the part to be withdrawn. If the withdrawal letter is signed by the Chief Executive, it should include confirmation that the withdrawal is being effected with the knowledge of the Minister.

The Executive Council Secretariat will return the withdrawn Explanatory Memorandum and relevant papers to the sponsoring agency concerned after the Executive Council meeting for which the Minute was submitted.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/revoking-minute.aspx>

## 6.9 Revoking a Minute

A revocation terminates the original approval from the date of the revocation.

Where it is desired to terminate a matter previously approved by the Governor in Council, it is permissible to revoke the whole or part of the original Minute. The effect of a revocation is to terminate the original approval of a matter with application from the date the revocation is approved.

The recommendation for a revocation Minute must refer to the original Minute number and date of approval and the Explanatory Memorandum must provide reason(s) for the revocation. The revocation of part of a Minute is only possible when the original Minute recommendation was set out in sub-paragraphs.

A sample revocation Minute is at [Appendix 16](#) (.doc, 48 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-revocation-minute.doc> ).

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/rescinding.aspx>

## 6.10 Rescinding a Minute

A rescission terminates the original approval from the date of the original approval.

Where it is desired to retract a matter previously approved by the Governor in Council, it is permissible to rescind the whole or part of the original Minute. The effect of a rescission is to nullify the original approval of the matter as if it never occurred.

The recommendation for a rescission Minute must refer to the original Minute number and date of approval and the Explanatory Memorandum must provide reason(s) for the rescission.

The rescission of part of a Minute is only possible when the original Minute recommendation was set out in sub-paragraphs.

A sample rescission Minute is at [Appendix 17](#) (.doc, 49 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-rescission-minute.doc> ).

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/amending.aspx>

## 6.11 Amending or correcting a Minute

An amendment or correction can be used to correct only minor errors.

The amendment or correction of a Minute previously approved by the Governor in Council is permissible in circumstances where the recommendation or schedule to the original Minute has contained an error of a minor nature. An error of a minor nature may include an incorrect date, name reference or a typographical error. The amendment to the original Minute may be corrected in the recommendation or schedule to the new Minute.

In circumstances where a Minute contains an error(s) not of a minor nature, it may be more appropriate for the original Minute to be rescinded or revoked and replaced with a new Minute.

A sample Amendment Minute is at [Appendix 18](#) (.doc, 48 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-amendment-minute.doc> ),

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/jointly.aspx>

## 6.12 Jointly sponsored minutes

Jointly sponsored Minutes require joint signatures.

Where the administrative responsibility for an Act is shared by two or more Ministers, it is permissible for an Executive Council Minute to be jointly sponsored. The Minute cover should be initialled by the sponsoring Ministers and the Explanatory Memorandum signed by the Ministers and the respective Chief Executives. The Minute cover should only reference one sponsoring Department: the Department which submits the Minute to the Executive Council Secretariat.

After Governor in Council approval, the Executive Council Secretariat will return the Minute to the Department which submitted the Minute and provide a copy of the approved Minute to the other sponsoring agency.

A sample jointly sponsored Minute is at [Appendix 33](#) (.doc, 49 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-jointly-sponsored-minute.doc> ).

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/return.aspx>

## 6.13 Return of Minutes following approval

Copies of approved Minutes plus the originals of any supporting documentation approved by the Governor in Council are available for collection from the Executive Council Secretariat after 1.00pm each Thursday.

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/acting-minister.aspx>

## 6.14 Executive Council procedures for an Acting Minister

The Acting Minister must sign Executive Council documents in a Minister's absence.

When a Minister is on leave or absent from the State, it is practice for the functions and powers of that Minister to be delegated to another Minister (section 45 of the *Constitution of Queensland 2001*). All Executive Council documentation sponsored by a Department during the period of the Minister's absence must be signed by the delegated Acting Minister and dated accordingly. The signature block on the Explanatory Memorandum should read the Minister's acting title only e.g. "Acting Minister for Health" etc.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/release.aspx>

## 6.15 Release of information by Executive Council Secretariat

Generally, the Executive Council Secretariat does not release details to a Department of an Executive Council Minute submitted by another Department. The information should be sought direct from the Department which prepared the Minute.

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/confidentiality.aspx>

## 6.16 Confidentiality of proceedings

All Executive Council documents are strictly confidential.

The Executive Councillor's Oath or Affirmation of Office and of Secrecy, which is taken by each Member of Executive Council on appointment, provides that the Councillor will not directly or indirectly communicate or reveal any matter considered by the Council, or made known to the Councillor as a Member of Executive Council.

Documents lodged with the Executive Council Secretariat are confidential to the Executive Council.

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/freedom.aspx>

## 6.17 Freedom of Right to Information requests

Schedule 3(3)(1) of the *Right to Information Act 2009* provides that Executive Council information is exempt from release under the Act. However, Schedule 3(3)(1) of the Act does not apply to Executive Council information officially published by decision of the Governor in Council i.e. publically available information.

Section 16 of the *Public Records Act 2002* establishes a restricted access period of 30 years for Executive Council matter.

Assistance or advice in relation to requests for access to Executive Council documents can be referred to the Director, Constitutional and Administrative Law Services, Department of the Premier and Cabinet, PO Box 15185, City East, Queensland 4002 or email: [exco@premiers.qld.gov.au](mailto:exco@premiers.qld.gov.au).

Executive Council documents may be exempt from release under freedom of information.

Matter contained in Executive Council documents may be exempt from release under section 37 of the *Freedom of Information Act 1992*. Where matter has been officially published by decision of the Governor in Council access may be refused under section 22 of that Act as the information is publicly available.

Assistance or advice in relation to requests for access to Executive Council documents can be referred to the Co-ordinator – Freedom of Information and Privacy, Department of the Premier and Cabinet on telephone (07) 3224 4808.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/announcement.aspx>

## 6.18 Announcement of Executive Council decisions

The terms of announcement of Executive Council decisions are a matter for individual Ministers to settle after meetings.

It should be noted that where there has been official publication by decision of Governor in Council of any deliberation or advice of Executive Council, matter contained in these documents may not be exempt under the *Freedom of Right to Information Act 2009* 1992.

Executive Council matters should not be announced in advance of the relevant decision without the Governor's prior approval. Ministers should only make such announcements in circumstances of genuine urgency and they should first seek the approval of the Premier, prior to personally making contact with the Governor to seek the Governor's approval. When such approval is obtained the sponsoring agency should advise the Executive Council Secretariat.

When Cabinet meets in a regional centre, special arrangements regarding early announcements of matters by Ministers must also be first approved by the Governor.

These matters are to be submitted to the Governor in Council as a result of the deliberations at the regional Cabinet meeting and should be relevant to the region. Ministers should observe the practice of informing the Governor of any such matters which they propose to make public prior to Governor in Council approval.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/action.aspx>

## Action following meeting of Executive Council

- 7.1 Notification and publication in the Queensland Government Gazette  
(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/action/notification.aspx> )
- 7.2 Certified copies of Executive Council Minutes

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/action/notification.aspx>

## 7.1 Notification and publication in the Queensland Government Gazette

Departments must be familiar with matters within their jurisdiction which require notification or publication in the Queensland Government Gazette.

Section 47 of the *Statutory Instruments Act 1992* requires subordinate legislation to be notified or published in the Queensland Government Gazette. Other statutory instruments or notifications of approval may be required to be published in the Queensland Government Gazette by the Act under which they are made. If an Act requires that a matter must be notified or published in the Queensland Government Gazette and the matter (be it subordinate legislation or other statutory instrument or notification) is not so notified or published, it will not take effect (see also 5.2.8( [http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.8\\_Statutory\\_Instruments](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/matters/consideration.aspx#5.2.8_Statutory_Instruments) )).

Many other decisions of the Governor in Council are published in the Queensland Government Gazette for public information.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/action/certified.aspx>

## 7.2 Certified copies of Executive Council Minutes

The Clerk of the Executive Council can provide certified copies of Executive Council Minutes upon request, for official purposes.

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents.aspx>

## Executive Council documents

- **8.1 Governor in Council matters to be authorised by Legislation**  
(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/governor.aspx> )
- **8.2 Executive Council Minutes**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/executive.aspx> )
- **8.3 Format of minutes**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/format.aspx> )
- **8.4 Use of schedules**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/schedules.aspx> )
- **8.5 Aggregation of Minutes and grouping of similar matters**  
(<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/aggregation.aspx> )
- **8.6 Explanatory Memorandum**( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/explanatory.aspx> )
- **8.7 Use of permanent paper**

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/governor.aspx>

## 8.1 Governor in Council matters to be authorised by Legislation

Decisions of the Governor in Council are reviewable by the courts and the courts will require the production of evidence supporting decisions of the Governor in Council to help ascertain the facts and/or the reasons for the decision. It is imperative that matters and documents coming before the Governor in Council are properly prepared and drafted and where necessary are authorised by an Act of Parliament.

If there is any doubt as to whether the Governor in Council has legislative authority to exercise a power, the Department or statutory body concerned should seek advice from the Executive Council Secretariat in the first instance.

RTI RELEASED

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/executive.aspx>

## 8.2 Executive Council Minutes

Matters requiring approval by the Governor in Council are submitted in the form of a Minute which comprises a recommendation from the Executive Council to the Governor. When approved, the Minute becomes the official record of the decision taken.

To accompany each Minute, the Department must provide an Explanatory Memorandum (see 8.6 (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/explanatory.aspx> ) below) together with any other necessary documentation, for example, subordinate legislation or, in the case of an appointment, a Curriculum Vitae. All documentation must be submitted in duplicate on archival quality paper (see 8.7 (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/permanent-paper.aspx> )).

Subordinate legislation (other than exempt subordinate legislation) must be produced in accordance with the requirements contained in the *Queensland Cabinet Handbook* (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/cabinet-handbook.aspx> ) and must be drafted by the OQPC. Additional documentation produced for subordinate legislation, such as Compliance Certificates, Explanatory Notes and Regulatory Impact Statements, must also be included with the relevant Executive Council Minute.

Executive Council Minutes must be complete when forwarded to the Executive Council Secretariat. The Secretariat will not accept Minutes which are incomplete in terms of the final requisite documents e.g. initialled Minute cover and Schedule, signed Explanatory Memoranda and certified copies of subordinate legislation.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/format.aspx>

## 8.3 Format of minutes

### ( )8.3.1 Minute covers

Executive Council Minutes must be prepared on standard A4 size Minute folders in the format authorised by the Executive Council Secretariat. Minute folders of the prescribed standard are available from ~~Goprint~~the Queensland Government Bookshop. All printing is to be in black (see also 8.7( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/permanent-paper.aspx> )). A sample standard Minute format is at Appendix 19 (.doc, 199 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/schematic-format-executive-council-minute.doc> ).

### ( )8.3.2 Details included on each minute cover

Each Minute cover must include the following details:

- Department or agency name. This should be typed in capital letters. Please contact the Executive Council Secretariat if there is any confusion. (See also 6.12( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/jointly.aspx> ) jointly sponsored Minutes).
- Authorising Act of Parliament. This is the name of the Act or Acts which provide the relevant authority to the Governor in Council. It should be typed in italics and in "title case". Where two or more Acts provide authority for the Minute, they should be listed under each other in alphabetical order (NB: generally, there is no authorising Act for Expenditure Project Commencement Approval Minutes).

If the action to which a Minute is attempting to give effect is not specifically provided for in the relevant legislation certain provisions of the *Acts Interpretation Act 1954* may be relied upon to provide a legislative basis for the action.

In such cases, the *Acts Interpretation Act 1954* should be cited as a head of power along with the other relevant legislation on the Minute cover.

- Title. This should be typed in capital letters, be as concise as possible and never exceed two lines. No attempt should be made to render the title as a sentence.

The action itself should not be mentioned, e.g. 'Approval of' or 'Making of' should not appear in the heading.

The title should however show the types of actions recommended by the Minute, with singular and plural forms giving some indication of number. Semicolons should be used to separate types of actions where there are more than two, the last type of action being preceded by 'and'. For example, the title of a Minute proposing the making of Orders in Council and a Regulation, and the termination of an agreement should have the title 'ORDERS; A REGULATION; AND TERMINATION OF AN AGREEMENT'. (Note that in the Executive Council context the 'in Council' after 'Order' is redundant.) Where only two types of action are proposed, the conjunction 'and' should be used without further punctuation, as in 'A REGULATION AND TERMINATION OF AN AGREEMENT'.

- Recommendation. The recommendation, or text of the Minute, commences with the words 'The Council recommends to Her Excellency the Governor [or 'to His or Her Excellency the Acting Governor', or 'to the Deputy Governor' as appropriate] that'. The recommendation should be concise, be typed in single line spacing and end with the words '(MINUTE ENDS)' in brackets immediately following the last word of the recommendation - i.e. there are no spaces following the full stop. The recommendation comprises one paragraph, although it can contain several alphanumerically numbered sub-paragraphs describing discrete actions. The Minister must initial the Minute cover immediately after the words '(MINUTE ENDS)'.

The authorising Act of Parliament should not be repeated in the recommendation, although where the action affects another Act, this should be mentioned in full (for example, exemptions from the provisions of another Act). Where the subject of a Minute is a regulation, the title of the regulation when referenced in the recommendation, should be typed in italics.

Where several sub-paragraphs are to follow the introductory line, the line concludes with a dash immediately following the word 'that' (see Appendix 21 (.doc, 198 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-health.doc>)). Colons are not to be used. The alphanumeric delineator is in lower case, enclosed in brackets and aligned with the left margin, but the text in sub-paragraphs is indented by about 1cm from the margin. Sub-paragraphs are separated by a semicolon and a line space. In most cases each sub-paragraph contains the appropriate recommended course of action as its final two words, for example: 'be made', 'be approved' or 'be refused'.<sup>7</sup> The penultimate sub-paragraph concludes '; and'.

7. The chief exception to this rule will be where one Act authorises an exemption from the provisions of another Act. In this case the final words will be '... be wholly exempt from the provisions of [name of Act]'.

Where several schedules, instruments, agreements or other papers are enclosed, they must be given a unique alphanumeric upper case identifier and referred to as such in the text of the recommendation. For example, if a Minute proposes the making of two Orders and the approval of details on a schedule, the enclosure mentioned first in the Minute (an Order in this example) should be marked 'A', the second (another Order) marked 'B' and the third (a schedule) marked 'C'. (Note: Certificates of Permission to Cremate should not be individually marked.) If there are more than twenty-six enclosures, the twenty-seventh should be marked 'AA', the twenty-eighth 'AB' and so on.

Examples of Minutes (including examples for the Deputy Governor and Acting Governor) containing several discrete actions in sub-paragraphs can be found at Appendices 20-31(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/appendices.aspx>).

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/schedules.aspx>

## 8.4 Use of schedules

If there is insufficient space on the Minute cover for all details or if the information can be better represented in tabular form, a schedule(s) may be used to support the recommendation.

Where one schedule is used the words 'as set out in the enclosed Schedule', or similar, must be incorporated in the recommendation on the Minute. Where more than one schedule is used, each schedule must be individually numbered and similarly referred to in the recommendation.

Where a schedule consists of more than one page, each page other than the last page should show 'continued on next page...' at the bottom left margin. The Minister must initial each page of the schedule. A Minute including a schedule must also include a copy of the original schedule.

Each schedule must end with the words '(SCHEDULE ENDS)' immediately following the final entry and must be initialled by the Minister immediately following these words.

~~It should also be noted that a Schedule of Subordinate Legislation in the prescribed form should accompany all Minutes recommending the making of subordinate legislation. This schedule facilitates the process whereby OQPC issues a subordinate legislation identification number. A sample Schedule of Subordinate Legislation is at Appendix 32 (.doc, 31 KB)~~

~~<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/schedule-subordinate-legislation.doc>~~

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/aggregation.aspx>

## 8.5 Aggregation of Minutes and grouping of similar matters

When aggregation is required.

Departments are asked as far as possible to limit the number of items of business proposed for consideration by the Executive Council.

Transactions proposed by a Department for a single meeting of the Executive Council, and which are authorised by the same Act, should be aggregated in the one Minute. The individual transactions requiring approval should be presented in an alphanumeric list (see [Appendices 20-32](#) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/appendices.aspx>)). If there is insufficient space available, additional detail may be provided in Schedules accompanying the Minute.

Separate Explanatory Memoranda can be provided for aggregated Minutes.

Departments may provide separate Explanatory Memoranda for the individual transactions in an aggregated Minute (see [8.6](#) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/explanatory.aspx>)). It should be noted that individual transactions covered by a separate Explanatory Memorandum may be withdrawn without compromising the integrity of the remaining items in a Minute (see [6.5](#) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/withdrawal-min-listed.aspx>) and [6.6](#) (<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/procedures/partial-withdrawal.aspx>)).

Minutes proposing similar actions intended for the one meeting and which are authorised by two or more Acts should also be grouped in the one Minute. Such matters which might easily be combined could include a series of minor and similar amendments to town plans of different local authorities, or routine adjustments to the remuneration of a number of statutory bodies.

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/explanatory.aspx>

## 8.6 Explanatory Memorandum

As indicated in 8.2( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/executive.aspx> ), each Minute must be accompanied by at least one Explanatory Memorandum. Sample Explanatory Memoranda can be found as part of Appendices 3 (.doc, 55 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-public-service-appointment-minute.doc> ), 4 (.doc, 52 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-public-service-transfer-minute.doc> ), 8 (.doc, 205 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-revised-expenditureproject-approval-minute.doc> ), 16 (.doc, 48 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-revocation-minute.doc> ), 17 (.doc, 49 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-rescission-minute.doc> ) and 18 (.doc, 48 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-amendment-minute.doc> ).

Where a Minute proposes several discrete actions, one Explanatory Memorandum may be used for each action provided that no more than one Explanatory Memorandum covers the action(s) described in a single sub-paragraph of the text of the Minute itself.

The following headings are to be used in an Explanatory Memorandum. Headings which do not apply to the Minute should not be used. For example, if the Minute does not propose an action authorised by statute, then the 'Legislative Provision' heading should not be used.

Brackets indicate alternative forms. For example, if only one statutory provision authorises the action or actions, then the heading should be 'Legislative Provision', while if two or more provisions authorise the action or actions, then the heading should be 'Legislative Provisions'.

- Minister. The full title of the Minister is to be used.
- Subject. This is the proposed wording for the Schedule of Minutes describing the action(s) canvassed by the Explanatory Memorandum. As a general rule the subject should paraphrase the information contained in the Recommendation on the Minute cover. This must explain succinctly and accurately the subject of the Explanatory Memorandum. This need not be a sentence. No reference should be made to the authorising statute.

Where the Explanatory Memorandum covers the making of a statutory instrument, the wording should name in full the instrument and outline as briefly as possible the effect of the instrument. For example, in an Explanatory Memorandum for a proposed regulation, the Subject entry should be in the form 'Architects Amendment Regulation (No.1) 2003 which provides for the procedures for electing a member of the Board of Architects of Queensland'.

Where the Explanatory Memorandum covers a project commencement expenditure approval proposal, the Subject entry should show the value amount proposed to be authorised and what the amount funds are to be spent on. For example, 'Project commencement approval Expenditure of \$12 500 000 (including GST) for the purchase of electron microscopes for use in advanced microscopy studies at TAFE colleges'.

Where the Explanatory Memorandum covers appointments to a board or similar, the Subject entry should show the positions to which the appointments are being made, but not the names of appointees. For example, 'Appointment of Chairperson and Members of the South Bank Corporation'.

Words describing the recommended action, for example 'approval of' should not be used unless their omission would make the entry confusing. For example, where the Minute recommends approval for a statutory body to enter into an arrangement with a third party, 'Approval for the XYZ Corporation to enter into...' is appropriate. The entry accompanying a recommendation for the approval of expenditure, however, would commence simply 'Expenditure of \$2 000 000 for...'

- Legislative provision(s). This should include the full title of the authorising Act or Acts of Parliament and all section references which provide authority for Governor in Council action. For example 'Section 6092 of the *Public Service Act 1996* 2008'. Other relevant section references may be added to provide clarity.
- Background. This entry should show the process followed which led to the point where the proposed executive action is required. Where Cabinet approval has been specifically obtained for the action proposed by the Minute or Governor in Council approval has been obtained for a related action, this should be referenced with the relevant date, Cabinet decision number, and/or Executive Council Minute number.
- Purpose and consequence. The objectives of government policy on the issue which has generated the proposal(s) should be canvassed as part of the 'Purpose'. The precise effects of the action(s) proposed should be included as 'consequence': for example, the exact duration of an appointment. A single paragraph is normally sufficient to relay adequate information for both. Caveats or restrictions on the effect of the action(s), such as sunset provisions or the term of appointment should be noted.
- Has OQPC drafted the proposed subordinate legislation? (or) Has legal opinion been sought from the Crown Solicitor on the proposed instrument? The words 'Yes' or 'No' as applicable should be provided. If the answer is 'No', clarify why this is so and provide some indication of what alternative legal advice, if any, has been sought in relation to the instrument.
- Consultation. Show all other agencies and other parties consulted in relation to the proposed action(s). Where an affected or interested party has not been consulted, indicate why this is so.

Where Departments are considering the disposal of Crown land, they must consult with other Departments (and especially the Department of Housing and Public Works and the Department of Natural Resources and Mines) to see whether the land could be used by other Departments or agencies within government. Crown land that has not previously been alienated may also be subject to claim under the *Native Title Act 1993*. Consultation with the Native Title Unit of the Department of Natural Resources and Mines is to be noted.

In relation to subordinate legislation, Departments should consult the Business Regulation Reform Unit (BRRU) Regulatory Review Branch of Queensland Treasury and Trade the Department of

State Development and Innovation as to the need for a Regulatory Impact Statement under the *Statutory Instruments Act 1992*. The advice provided by BRRU the Regulatory Review Branch should be summarised under the heading "Results of Consultation".

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- Results of consultation. If consultation has yielded consensus on the proposed action(s), this should be reported, for example: 'All parties consulted agree with the proposed [type of action, e.g. appointment]'. If there is some conflict, state the nature of the conflict and the rationale for proceeding with the proposed action(s) in spite of disagreement.
- Signature of the Chief Executive and date. The signature block is aligned with the left margin.
- Signature of the Minister and date. The signature block is aligned with the right margin. The Minister's normal signature block should be used, i.e. there is no requirement for pre and post nominal honorifics. Note: The Minute will not be accepted if the signatures are not dated.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/documents/permanent-paper.aspx>

## 8.7 Use of permanent paper

All Executive Council documents must be produced on paper conforming with Australian Standard AS4003 for Permanent Papers e.g. Reflex Archival. Departments should consider the use of such paper for documents retained permanently in Departmental records. Stocks of such paper are available from Goprint and commercial paper houses.

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/caretaker.aspx>

## Caretaker conventions

- [9.1 Caretaker period](http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/caretaker/period.aspx) ( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/caretaker/period.aspx> )
- [9.2 Executive Council meetings](#)

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/caretaker/period.aspx>

## 9.1 Caretaker period

The caretaker period (see [Queensland Cabinet Handbook](#))

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/cabinet-handbook.aspx> ) for definition and conventions and practices) commences from the moment the Legislative Assembly is dissolved by Proclamation or at the moment the term of the Legislative Assembly expires, whichever happens first. However, it is also recognised that some care should be exercised in the period (if there is one) between the announcement of the election and the dissolution of the Legislative Assembly.

The period concludes when the election result is clear, if the Government is to be returned to office or, if there is to be a change of Government, when the new Government is sworn in by the Governor.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/caretaker/executive.aspx>

## 9.2 Executive Council meetings

Ordinary meetings of the Executive Council are not held during the caretaker period. However, with the consent of the Premier and the Governor, special sittings of Executive Council may be held to consider limited business.

Arrangements for Executive Council will be forwarded to all Departments by the Executive Council Secretariat at the commencement of the caretaker period.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/machinery.aspx>

## Machinery of Government Changes

Administrative Arrangements Orders and Departmental Arrangements Notices are the instruments by which machinery of government changes are made.

- 10.1 Administrative Arrangements Orders ( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/machinery/administrative.aspx> )
- 10.2 Departmental Arrangements Notices

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/machinery/administrative.aspx>

## 10.1 Administrative Arrangements Orders

Administrative Arrangements set out the principal Ministerial responsibilities of Ministers and the Acts that they administer. The Arrangements are determined solely by the Premier and are made by Order in Council in accordance with section 44 of the *Constitution of Queensland 2001*. The Executive Council Secretariat manages the process of consolidation and amendment of the Administrative Arrangements.

The schedule to the consolidated Administrative Arrangements Order sets out:

- the Minister's title;
- the Minister's Principal Ministerial Responsibilities;
- Acts Administered by each Administrative Unit under each portfolio; and
- the responsible heads of each Administrative Unit.

Consolidated Administrative Arrangements Orders are prepared on the Premier's instructions following a general election. In addition, the Executive Council Secretariat prepares Consolidated Orders twice yearly for the Premier's approval.

The twice yearly Consolidated Orders incorporate any changes to Administrative Arrangements which may have occurred as a result of the passing or repeal of legislation and any Amendment Orders which may have been made since the last consolidation.

Once a draft consolidation is prepared, relevant parts of the Order are provided to the Cabinet Legislation and Liaison Officer for each Department to confirm that they approve of any changes to the Arrangements for that Department.

Consolidated Administrative Arrangements are published in the Queensland Government Gazette and tabled in the Parliament.

Amendment Orders arise when a Minister or Ministers write to the Premier requesting the transfer of administrative responsibility for legislation or amendment to the description of their Ministerial responsibilities. A letter from the relevant Minister usually requests the transfer of administrative responsibility from one Minister to another. All Ministers affected by the proposed changes must sign the letter, or write independently to the Premier. The relevant Ministers will be advised of the Premier's decision with respect to the proposed amendment. If approved by the Premier, the necessary Order in Council and Executive Council Minute will then be submitted for Governor in Council approval.

For further information contact the Executive Council Secretariat on telephone (07) 3225 8254.

RTI RELEASE

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/machinery/departmental.aspx>

## 10.2 Departmental Arrangements Notices

Departmental functions and responsibilities are also the responsibility of the Premier. A Departmental Arrangements Notice is prepared to amalgamate part or parts of Departments, create an entity and add that entity to any Department and matters of a like nature, as specified within the *Public Service Act 2008* 1996. Such actions are made by an Executive Council Minute and published in the Queensland Government Gazette. The administration of these matters is undertaken by the Office of the Public Service Commissioner.

Consolidated Departmental Arrangements Notices are prepared on the Premier's instructions following a general election. In addition, amendments to Departmental Arrangements Notices are made from time to time with the approval of the Premier. Should changes be required to Ministerial responsibilities and Departmental arrangements, the Executive Council Secretariat and the Office of the Public Service Commissioner work together to co-ordinate Governor in Council consideration of both matters at the same time.

For further information contact the Office of the Public Service Commissioner on (07) 3227 6379.

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<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/appendices.aspx>

## Appendices

The following documents are links to PDFs (Portable Document Format), and may be viewed in an Adobe Acrobat Reader. If you do not already have a version of Adobe Acrobat Reader, you may obtain one from <http://get.adobe.com/reader/> (external site)( <http://get.adobe.com/reader/> )

1. Executive Council Meeting Procedure (.doc, 36 KB)(  
<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/executive-council-meeting-procedure.doc> )
2. Sample Commission
3. Sample Public Service Appointment Minute
4. ~~Sample Public Service Transfer Minute~~This Appendix is not in use.
5. Appointment and Remuneration Schedule (.doc, 32 KB)(  
<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/appointment-remuneration-schedule.doc> )
6. Sample Appointment Minute
7. ~~Sample Project Commencement Approval~~Expenditure Minute (.doc, 197 KB)(  
<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-project-commencement-approval-expenditure-minute.doc> )
8. ~~Sample Revised Expenditure Project Approval~~Minute
9. ~~Sample Expenditure Project Commencement Approval~~Minute (in the form of a grant) (.doc, 43 KB)(  
<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-project-expenditure-commencement-approval-minute-grant.doc> )
10. Sample Proclamation
11. Sample Subordinate Legislation (.doc, 45 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-subordinate-legislation.doc> )
12. Sample Subordinate Legislation (Amending Previous Subordinate Legislation) (.doc, 44 KB)(  
<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-subordinate-legislation-previous.doc> )
13. Sample Compliance Certificate (.doc, 31 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-compliance-certificate.doc> )
14. Sample Statutory Instrument (.doc, 35 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-statutory-instrument.doc> )

15. Sample Minute Showing Partial Withdrawal (.doc, 199 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-showing-partial-wlthdrawal.doc> )

16. Sample Revocation Minute

17. Sample Rescission Minute

18. Sample Amendment Minute

19. Schematic Format For Executive Council Minute (.doc, 199 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/schematic-format-executive-council-minute.doc> )

20. Sample Minute -- Communities, Child Safety and Disability Services (Acting Governor) (.doc, 43 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-communities.doc> )

Field Code Changed

21. Sample Minute -- Queensland Health (Deputy Governor) (.doc, 198 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-health.doc> )

22. Sample Minute - Justice And Attorney-General (.doc, 197 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-justice.doc> )

Field Code Changed

23. Sample Minute - Aboriginal And Torres Strait Islander Policy, National Parks, Recreation, Sport and Racing (.doc, 198 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-aboriginal-torres-strait-islander.doc> )

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24. Sample Minute --- Community Safety/rective Services (.doc, 44 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-corrective-services.doc> )

25. Sample Minute - State Development, Infrastructure and Planning and Innovation (.doc, 44 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-state-development-innovation.doc> )

26. Sample Minute -- Environment and Heritage Protectional Protection Agency (.doc, 199 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-environmental-protection-agency.doc> )

27. Sample Minute - Local Government, Planning, Sport and Recreation (.doc, 44 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-local-government.doc> )

28. Sample Minute - Primary Industries and Agriculture, Fisheries and Forestry (.doc, 44 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-primary-industries-fisheries.doc> )

29. Sample Minute -- Education, Employment, and Training and Employment (.doc, 44 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-employment-training.doc> )

30. Sample Minute -- Transport and Main Roads (.doc, 43 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-transport.doc> )

31. Sample Minute -- Energy and Water Supply (.doc, 199 KB)(

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/sample-minute-energy.doc> )

32. Schedule of Subordinate Legislation (.doc, 31 KB)( <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/exec-council-handbook/assets/schedule-subordinate-legislation.doc> ) This Appendix is not in use.

33. Sample Jointly Sponsored Minute

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EXECUTIVE COUNCIL MEETING PROCEDURE

1. The Governor declares the meeting open and advises of any special meetings which may have occurred since the last ordinary meeting.

2. The Clerk says:

*"Your Excellency, the Executive Councillors have considered the following business and recommend that it be approved".*

The Clerk then proceeds to read the title of each ordinary Minute, handing each Minute to the Governor for initialling after the title is read. The Governor records approval by initialling the Minute. As the Governor initials the Minute, the senior Executive Councillor places a tick beside the item on the Schedule.

3. When completed, if no late Minutes have been submitted, the Clerk says:

*"Your Excellency and members of the Executive Council, no additional matters have been submitted for consideration and approval." [Proceed to paragraph 8]*

4. When Special Judicial or late Minutes have been submitted, the Clerk says:

*"Your Excellency and members of the Executive Council, (x) special matters and (x) additional matters have been submitted for consideration and approval."*

5. The Clerk invites the senior Executive Councillor or sponsoring Minister to speak to the Minute(s). Upon the Governor's agreement, the Schedule(s) are handed by the Clerk to the Executive Councillor(s) present who initial the Schedule Cover(s). The second most senior Executive Councillor places a tick beside all those in attendance on the Present Form.

6. The Clerk collects the Schedule(s) and the Present Form from the second most senior Executive Councillor and returns the Schedule(s) to the senior Executive Councillor and retains the Present Form.

7. The Clerk then says:

*"Your Excellency, Executive Councillors recommend that the following additional matters be approved."*

The Clerk then proceeds to read the title of each special and then each late Minute, handing each Minute to the Governor for initialling after the title is read. The Governor records approval by initialling the Minute. As the Governor initials the Minute, the senior Executive Councillor places a tick beside the item on the relevant Schedule.

8. When this is completed, the Clerk reads the summary of proceedings and confirmation of Minutes approved as per the Present Form and signs it. The Present Form is handed to the Governor, who says:

*"Do Executive Councillors wish me to confirm these minutes?"*

Upon assent, the Governor signs the Present Form and then announces:

*"That concludes Executive Council business for this meeting."*

9. Executive Councillors leave the Executive Council Chamber and the Governor remains to sign documents.

Executive Council Meeting Procedure

## Executive Council Meeting Procedure

1. The Governor declares the meeting open and advises of any special meetings which may have occurred since the last ordinary meeting.

2. The Clerk says:

*"Your Excellency, the Executive Councillors have considered the following business and recommend that it be approved."*

The Clerk places the Schedule of Minutes in front of the senior Executive Councillor. The Clerk proceeds to read the title of each Minute, handing each Minute to the Governor for initialling after the title is read. The Governor records approval by initialling the Minute. As the Governor initials the Minute, the senior Executive Councillor checks the item on the Schedule.

3. When completed, the Clerk says:

*"Your Excellency and members of the Executive Council, (x) additional matters have been submitted for consideration and approval."*

When there are no late Minutes, the Clerk says:

*"Your Excellency and members of the Executive Council, there are no additional matters for consideration and approval."* [Proceed to paragraph 7]

4. The Clerk hands the Supplementary Schedule and the late Minutes to the senior Executive Councillor who speaks to each Minute and then initials the Supplementary Schedule. If the sponsoring Minister is present, he or she speaks to the proposed Minute instead of the senior Executive Councillor and then initials the Supplementary Schedule. The Supplementary Schedule and the late Minutes are handed to the other Executive Councillor(s) present who peruse the Minutes and initial the Supplementary Schedule.

5. The Clerk collects the late Minutes and the Supplementary Schedule from the last Executive Councillor and returns the Supplementary Schedule to the senior Executive Councillor.

6. The Clerk then says:

*"Your Excellency, Executive Councillors recommend that the following additional matters be approved."*

The Clerk then proceeds to read the title of each late Minute, handing each Minute to the Governor for initialling after the title is read. As the Governor initials the Minute, the senior Executive Councillor checks the item on the Supplementary Schedule.

7. When this is completed the Clerk reads the summary of proceedings and confirmation of Minutes approved and signs this document. The document is handed to the Governor, who says:

*"Do Executive Councillors wish me to confirm these minutes?"*

Upon assent the Governor signs the Present form and then announces:

*"That concludes Executive Council business for this meeting."*

8. Executive Councillors leave the Executive Council Chamber and the Governor remains to sign documents.

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Executive Council Meeting Procedure



*State Development and Public Works Organisation Act 1971*

*Witness Our Trusty and Well-beloved  
Her Excellency ~~Quentin Bryce~~ Penelope Anne  
Wensley, Companion of the Order of  
Australia, Governor in and over the State of  
Queensland, in the Commonwealth of  
Australia, at Government House, Brisbane.*

To JOHN MARK SMITH B.E.,

I, ~~QUENTIN BRYCE~~ PENELOPE WENSLEY ~~Wensley~~, Governor, acting with the advice of the Executive Council appoint you, JOHN MARK SMITH B.E., to be the Coordinator-General from and including 29 January ~~May 2012~~ 2049 to and including 31 March ~~June 2004~~ 2024.

[space for Public Seal of the State]

*Signed and sealed with the Public Seal of the State on 29 January ~~May 2012~~ 2049.*

*By Command*

[space for Minister's signature]

RECORDED in the Register of Patents, No. <, page <, on 29 January ~~May 2012~~ 2049.

Clerk of the Executive Council

Commission

Appendix 3

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Date

Minute No

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**EXECUTIVE COUNCIL OF QUEENSLAND**

~~DEPARTMENT OF THE PREMIER AND CABINET~~ PUBLIC SERVICE COMMISSION

*Public Service Act 1996/2008*

**AN APPOINTMENT**

The Council recommends to Her Excellency the Governor that the appointment of a ~~Senior~~ chief Executive of a department of government, as set out in the enclosed Schedule, be approved. (MINUTE ENDS)

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Approved.....

Sample Public Service Appointment Minute

Appendix 3 continued

**EXPLANATORY MEMORANDUM****Minister**

Premier and Minister for Trade &lt;Minister's Title&gt;

**Subject**

Appointment to the role of Director, Administration Branch, Government and Executive Services Division, Department of the Premier and Cabinet, Brisbane (SES 2) of the chief executive of the Department of Housing and Public Works.

**Legislative Provision**

Section 60XX(1)92 of the *Public Service Act 1996* 2008.

**Background**

The vacant role of Director, Administration Branch, Government and Executive Services Division, Department of the Premier and Cabinet, Brisbane (SES 2) was advertised in the Queensland Government Gazette on [date/s] and The Courier-Mail on [date/s].

A selection committee comprising [name all members of the selection committee, which agency or organisation they are from and clearly denote the Office of Public Service representative] was convened and has completed the selection process in accordance with the *Public Service Act 1996* and relevant *Directives*.

The selection committee considered John Paul Jones, Project Officer, Administration Unit, Environmental Protection Agency, Brisbane (SO1) as the most meritorious applicant and recommends [him or her] for appointment to the role of Director. Mr John Smith retired as chief executive of the Department of Housing and Public Works on 1 March 2011.

A selection committee comprising the Honourable Robert Swarten Simon Finn MP, Minister for Public Works and Information and Communication Technology, Government Services, Building Industry and Information and Communication Technology, Mr John Bradley, Director-General, Department of the Premier and Cabinet, Ms Margaret Allison, the Commission Chief Executive, Public Service Commission, and Ms Sarah Schulz, the Managing Director, ABC Recruitment was engaged to conduct an executive recruitment process. The selection process was in accordance with the requirements of the *Public Service Act 2008*.

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The selection committee considered Mr John Jones to be the most meritorious candidate. Accordingly, Mr Jones is proposed to be appointed on a contract basis from date of commencement of duty for a term of five years.

A curriculum vitae for Mr Jones is attached.

**Purpose and Consequence**

Sample Public Service Appointment Minute

Appendix 3 continued

The purpose of this Minute is to appoint John Paul Jones to the role of Director, Administration Branch, Government and Executive Services Division, Department of the Premier and Cabinet as chief executive of the Department of Housing and Public Works, Brisbane (SES-2) on a contract basis for a period-term of five[number] years.

**Consultation**

The Officer of the Office of Public Service Merit and Equity Public Service Commissioner The selection committee has been consulted on this matter.

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**Results of Consultation**

Agreement with the action being taken by this agency.

.....  
John Bradley <Director-General's Name>  
Director-General

.....  
<Minister's Name> Peter Beattie, MP  
Premier and Minister for Trade <Minister's Title>

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Date:

Date:

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**[APPOINTMENT FROM WITHIN THE PUBLIC SERVICE]**

**SCHEDULE**

Under the *Public Service Act 1996/2008*, within the Department of the Premier and Cabinet, the person indicated below be appointed as chief executive of the government department as shown from the date officer listed hereunder be appointed from date of commencement of duty on a contract basis for a period of [number] five years to the role shown, and that notification be published in the Queensland Government Gazette.

<u>Vacancy Reference Number</u>	<u>Vacant Role and Classification</u>	<u>Name and Payroll Number</u>	<u>Current Role and Classification Address</u>
PR1/04	Director- General Administration Branch Government and Executive- Services Department of Housing and Public Works Division Department of the Premier and Cabinet Brisbane SES2 (PO/1-234567) Brisbane CEO	JONES John Paul LL.B., B.A.	Project Officer Administration Unit Environmental Protection Agency Department of Environment and Resource Management Brisbane SO1 (PO/609030)123 Alphabet Street Brisbane Qld 4001

- a) such appointment is subject to the officer entering into a contract of employment; and
- b) notification of such appointment will be published in the Queensland Government Gazette. (SCHEDULE ENDS)

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**[APPOINTMENT EXTERNAL TO THE PUBLIC SERVICE]**

**SCHEDULE**

Under the *Public Service Act 1996/2008*, within the Department of the Premier and Cabinet, the applicant listed hereunder be appointed from date of commencement of duty on a contract basis for a period of [number] years to the role shown, and that notification be published in the Queensland Government Gazette.

<u>Vacancy Reference Number</u>	<u>Vacant Role and Classification</u>	<u>Name</u>	<u>Residential Address</u>
PR1/04	Director Administration Branch	JONES John Paul	13 Logan Road Upper Mount Gravatt

Sample Public Service Appointment Minute

Appendix 3 continued\*

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Government and  
Executive Services  
Division  
Department of the  
Premier and Cabinet  
Brisbane  
SES2  
(PO/1-234567)

LL.B., B.A.

4122

(SCHEDULE ENDS)

RTI RELEASE

Sample Public Service Appointment Minute



Date \_\_\_\_\_

Minute No \_\_\_\_\_

~~EXECUTIVE COUNCIL OF QUEENSLAND~~

~~DEPARTMENT OF THE PREMIER AND CABINET~~

*Public Service Act 1996*

A TRANSFER

~~The Council recommends to Her Excellency the Governor that the transfer of a Senior Executive, as set out in the enclosed Schedule, be approved. (MINUTE ENDS)~~

RTI RELEASED

Approved.....

Sample Public Service Transfer Minute

Appendix 4 continued

**EXPLANATORY MEMORANDUM**

**Minister**

Premier and Minister for Trade

**Subject**

Transfer to the role of Director, Administration Services, Governance Division, Department of the Premier and Cabinet, Brisbane (SES 2).

**Legislative Provision**

Section 79(1) of the *Public Service Act 1996*.

**Background**

The role of Director, Administration Services, Governance Division, Department of the Premier and Cabinet, Brisbane (SES2) became vacant following the appointment of the previous incumbent to an SES3 level role in the Department of State Development.

Accordingly, it is proposed to transfer John Paul Jones, Director, Administration Unit, Environmental Protection Agency, Brisbane (SES2) to the role of Director, on a contract basis for a period of [number] years.

Mr Jones possesses the skills and knowledge commensurate with the duties of the role.

**Purpose and Consequence**

The purpose of this Minute is to transfer John Paul Jones to the role of Director, Administration Services, Governance Division, Department of the Premier and Cabinet, Brisbane (SES 2), on a contract basis for a period of [number] years.

**Consultation**

Consultation has occurred with the Office of Public Service Merit and Equity and the Environmental Protection Agency.

**Results of Consultation**

All parties consulted agree with the proposed transfer.

.....  
Dr Leo Kelihher  
Director General

.....  
Peter Beattie, MP  
Premier and Minister for Trade

Date: \_\_\_\_\_

Date: \_\_\_\_\_

~~[TRANSFER OF A SENIOR EXECUTIVE WITHIN THE PUBLIC SERVICE]~~SCHEDULE

~~Under the *Public Service Act 1996*, within the Department of the Premier and Cabinet, the Senior Executive listed hereunder be transferred from date of commencement of duty on a contract basis for a period of [number] years to the role shown, and that notification be published in the Queensland Government Gazette.~~

<u>Vacant Role and Classification</u>	<u>Name and Payroll Number</u>	<u>Current Role and Classification</u>
Director Administration Services Governance Division Department of the Premier and Cabinet Brisbane SES2 (PO/1-234567)	JONES John Paul LL.B., B.A. (PA/1234567)	Director Administration Unit Environmental Protection Agency Brisbane SES2 (PO/609031)

(SCHEDULE ENDS)



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF THE PREMIER AND CABINET PUBLIC SERVICE COMMISSION

Public Service Act 2008 South Bank Corporation Act 1989

**AN APPOINTMENT**

The Council recommends to Her Excellency the Governor that the appointment of a member of the the chairperson of the Public Service Commission South Bank Corporation, as set out in the enclosed Schedule, be approved. (MINUTE ENDS)

RTI RELEASED

Approved.....

**Sample Appointment Minute**

Appendix 6 continued

**EXPLANATORY MEMORANDUM**

**Minister**

~~Premier and Minister for Trade~~ <Minister's Title>

**Subject**

~~Appointment of a member to the South Bank Corporation~~ the chairperson of the Public Service Commission.

**Legislative Provision**

~~Sections 45 and 64 of the Public Service Act 2008~~ Section 7 of the ~~South Bank Corporation Act 1989~~.

**Background**

~~The Public Service Act 2008 (the Act) provides that the the chairperson of the Public Service Commission (the Commission) is appointed by the Governor in Council. Under the Act, the term of the appointment and the conditions of office not provided for under the Act are decided by the Governor in Council. The term of appointment cannot be more than five years.~~

~~Mr John Smith was appointed as the chairperson a member to of the South Bank Corporation (the Corporation) Commission for a term from 10 January 2005<sup>12</sup> to 9 December January 2009<sup>14</sup>. Mr Smith has submitted his resignation from the Corporation Commission. Consequently, there is a vacant position on the Corporation.~~

~~Ms Anne Jones has been nominated to fill the position of chairperson for the vacant position.~~

~~Ms Jones is currently employed as Chief Executive of Managing Director, JONES and Co., Queensland, and is considered suitable for appointment to the chairperson role. She has received numerous awards including the 2001 Queensland Design Award, the 2001 Innovative Design Award and 1999 Young Queenslander of the Year. She is also currently involved with a number of community welfare organisations. A curriculum vitae is attached.~~

~~It is proposed that Ms Jones be appointed for a term of two years.~~

**Purpose and Consequence**

~~The purpose of this Minute is to seek approval for the appointment of Ms Anne Jones as a member of the the chairperson of the Public Service Commission South Bank Corporation.~~

**Consultation**

~~Consultation has occurred with the Office of Women's Policy, Multicultural Affairs Queensland, the Central Register and the South Bank Corporation Department of the Premier and Cabinet.~~

**Sample Appointment Minute**

**Results of Consultation**

~~The Office of Women provided five names. A search of the Central Register provided three names. Multicultural Affairs Queensland provided two names. The South Bank Corporation supports the proposed nominee. No issues were raised.~~

.....  
<Director-General's Name>r Leo Kelih  
Director-General  
Date:

.....  
Peter Beattie<Minister's Name>, MP  
Premier and Minister for Trade<Minister's Title>  
Date:

RTI RELEASED

Approved .....

**Sample Appointment Minute**



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF EDUCATION, TRAINING AND EMPLOYMENT AND TRAINING

EXPENDITURE PROJECT COMMENCEMENT APPROVALS

The Council recommends to Her Excellency the Governor that-

- (a) the ~~expenditure~~ project commencement value of \$10 600 000 (inclusive of GST) for the ~~acquisition of computer equipment upgrade project~~, as set out in the enclosed Schedule 'A', be approved; -and
- (b) the ~~expenditure~~ project commencement value of \$12 763 000 (inclusive of GST) for the construction of school buildings at Bundaberg, Tewantin and Yandina, as set out in the enclosed Schedule 'B', be approved. (MINUTE ENDS)

RTI RELEASED

Approved.....

**Sample ~~Expenditure~~ Project Commencement Approval Minute**

Appendix 8



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

~~DEPARTMENT OF THE PREMIER AND CABINET~~POLICE~~QUEENSLAND~~ POLICE SERVICE

~~REVISED EXPENDITURE~~PROJECT APPROVAL

The Council recommends to Her Excellency the Governor that revised ~~expenditure~~project value of \$~~3-2102~~ 000 000 (including GST) for the construction of {XYZ Police Station}, as set out in the enclosed Schedule, be approved.(MINUTE ENDS)

RTI RELEASED

Approved .....

Sample Revised Expenditure-Project Approval Minute

**EXPLANATORY MEMORANDUM**

**Minister**

~~Premier and Minister for Trade the Arts~~ ~~Minister for Police, Corrective Services and Emergency Services~~ <Minister's title>

**Subject**

Revised ~~expenditure~~ project value of \$31202 000 000 (including GST) for the construction of {XYZ Police Station}.

**Background**

On ~~305 June~~ July 2012 ~~2039~~ (Minute No. 345), the Governor in Council approved the ~~expenditure~~ project commencement value of \$2517 -0500 -000- (including GST) for the construction of {XYZ Police Station}.

Since that time, an unforeseen rise in the cost of building supplies and unanticipated change in design have occurred. As a consequence, the tenderer for the project, ABC Pty Ltd, has advised that the total cost of the project will now be ~~\$3 000 000~~ an additional \$44 500 000 (including GST) is required to undertake the project by ABC Pty Ltd to complete this project. The Department has conducted an independent costing and concurs with the new project cost quoted by ABC Pty Ltd.

Funding for the additional value of the project has been allocated in the department's ABC budget.

The project is still expected to be completed by December 2012.

**Purpose and Consequence**

The purpose of this Executive Council Minute is to seek Governor in Council approval for the revised expenditure project value of \$31220 000 000 (including GST) for the construction of {XYZ} Police Station.

**Consultation**

~~Treasury Department~~ Queensland Treasury and Trade.

**Results of Consultation**

~~Treasury Department~~ Queensland Treasury and Trade supports the revised ~~expenditure~~ project value.

.....  
.....  
~~Dr Leo Kelihher~~ ~~Ken Smith~~ <Director-General's name> ~~Peter Beattie~~ ~~Anna Bligh~~ ~~Neil Roberts~~ <Minister's name>  
Director-General Premier and Minister for Trade ~~the Arts~~ ~~Police.~~

**Sample Revised Expenditure Project Approval Minute**

**Appendix 8 continued**

Corrective Services and Emergency Services <Minister's title>

Date:

Date:

RTI RELEASE

Sample Revised Expenditure Project Approval Minute

Appendix 8 continued

SCHEDULE

<p><u>Previous Amount-Project Value</u>  <u>Approved</u>  <u>30-June-2003</u><sup>395</sup> <u>February 2012</u>  <u>(Minute No. 345)</u></p>	<p><u>Additional Amount</u></p>	<p><u>Total</u></p>
<p><u>\$175 52 000 000 (including GST)</u></p>	<p><u>\$41 04 500 000 (including GST)</u></p>	<p><u>\$31022 000</u>  <u>000 (including</u>  <u>GST)</u></p>

(SCHEDULE ENDS)

RTI RELEASE

Appendix 9

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Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF HOUSING AND PUBLIC WORKS

EXPENDITURE PROJECT COMMENCEMENT APPROVAL

The Council recommends to Her Excellency the Governor that expenditure ~~the project commencement value of \$114 700 000 (inclusive of GST)~~ in the form of a grant to ABC Institute Ltd to conduct research into DEF, be approved.(MINUTE ENDS)

RTI RELEASED

Sample Expenditure Project Commencement Approval (Grant) Minute

## Appendix 10 – Proclamation

Currently not uploaded to the website,  
and will be updated as part of the major  
update to the Handbook.

RTI RELEASE

Appendix 14

Appendix 14

*Local Government (Planning and Environment) Act 1990 (repeated)*  
 and  
*Integrated Planning Act 1997/Sustainable Planning Act 2009*

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**PLANNING SCHEMES (APPROVAL OF AMENDMENTS)  
 ORDER (NO. 2) 201204**

**Short title**

1. This Order in Council may be cited as the *Town Plan (Approval of Amendments) Order (No. 2) 201204*.

**Commencement**

2. This Order in Council commences on 19 December ~~June~~ 201204.

**Approval of Amendments of Planning Schemes**

3. Approval is given to the amendment of the planning schemes which are specified in the Schedule.

**THE SCHEDULE**

Planning Scheme	Date of Notification of Approval of Planning Scheme	Description of Land Rezoned	Zone from which said Land Excluded and Zoning Maps Affected	Zone in which said Land included and Zoning Maps Affected
The City of Brisbane	13 June 201204	Lots 3 and 4 on R.P. 85420, parish of Yeerongpilly	Future Urban Zone as shown on Sheet Z/87-S15	General Industry Zone as shown on Sheet Z/87-S15/80

**ENDNOTES**

1. Made by the Governor in Council on . . .
2. Notified in the Gazette on . . .
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of ~~Local Government, Planning, Sport and Recreation~~ State Development, Infrastructure and Planning.

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Statutory Instrument

Appendix 15



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Date.....

Minute No.....

**EXECUTIVE COUNCIL OF QUEENSLAND**

**DEPARTMENT OF NATURAL RESOURCES AND MINES**

*Mineral Resources Act 1989*

**GRANT AND ISSUE OF LEASE, AND RENEWAL OF LEASE**

The Council recommends to Her Excellency the Governor that-

- (a) ~~the Mining Lease without survey, as set out in the enclosed Schedule 'A', be granted and issued; and~~
- (b) ~~the Mining Lease without survey, as set out in the enclosed Schedule 'B', be renewed.~~(MINUTE ENDS)

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RTI RELEASED

Approved.....

Minute Showing Partial Withdrawal

Appendix 16



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF HOUSING AND PUBLIC WORKS

*Acts Interpretation Act 1954*

*Residential Tenancies and Rooming Accommodation Act 2008~~1994~~ (Repeated)*

A REVOCATION

The Council recommends to Her Excellency the Governor that Executive Council Minute No. 156 dated 29 January 201~~1949~~ relating to the appointment of Ms Nora Smith to the position of Director of the Residential Tenancies Authority, be revoked. (MINUTE ENDS)

RTI RELEASED

Approved.....

Sample Revocation Minute

Appendix 16 continued

**EXPLANATORY MEMORANDUM**

**Minister**

~~Minister for Public Works, Housing and Racing~~  
~~Community Services and Housing and~~  
~~Minister for Women~~ <Minister's title>

**Subject**

Revocation of Executive Council Minute No. 156 dated 29 January 2011~~049~~ relating to the appointment of Ms Nora Smith to the position of Director of the Residential Tenancies Authority, be revoked.

**Legislative Provisions**

Section 24AA of the *Acts Interpretation Act 1954*  
Section 295~~473~~ of the *Residential Tenancies and Rooming Accommodation Act 1994*~~2008~~

**Background**

Ms Nora Smith was appointed to the position of Director of the Residential Tenancies Authority on 15 January 2011~~049~~ (Minute No. 156).

Ms Smith has recently been appointed as a Director of XYZ Pty Ltd. Legal advice (Aattachedment+) concludes that this appointment could potentially represent a conflict of interest with Ms Smith's role as Director of the Residential Tenancies Authority.

**Purpose and Consequence**

The purpose of this Executive Council Minute is to revoke Executive Council Minute No. 156 dated 29 January 2011~~049~~ relating to the appointment of Ms Nora Smith to the position of Director of the Residential Tenancies Authority.

**Consultation**

The Office of the Queensland Integrity Commissioner, and Crown Law were consulted.

**Results of Consultation**

The revocation is supported.

.....  
Frank PeachJohn Smith <Director-General's name> Robert SchwanKaren Struthers, <Minister's name> MP  
Director-General

.....  
Minister for  
Public WorksCommunity  
Services and Housing and

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15.75 cm

Sample Revocation Minute

Appendix 16 continued

Minister for Women,  
Housing and  
Racing <Minister's title>

Date:

Date:

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RTI RELEASED

Sample Revocation Minute



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF ~~EMERGENCY SERVICES~~ COMMUNITY SAFETY

*Acts Interpretation Act 1954  
Fire and Rescue Service Act 1990*

**A RESCISSION AND REMUNERATION**

The Council recommends to Her Excellency the Governor that—

- (a) Schedule “B” of Executive Council Minute No. 111 of 1 April 2004<sup>11</sup> approving the remuneration and allowances payable to members of the Emergency Services Advisory Council, be rescinded; and
- (b) remuneration and allowances payable to members of the Emergency Services Advisory Council as set out in the enclosed Schedule “A”, be approved. (MINUTE ENDS)

Approved.....

**Sample Rescission Minute**

Appendix 17 continued

**EXPLANATORY MEMORANDUM**

**Minister**

<Minister's Title> for Emergency Services

**Subject**

Rescission of Schedule "B" of Executive Council Minute No. 111 of 1 April 2011<sup>04</sup> approving the remuneration and allowances payable to members of the Emergency Services Advisory Council and remuneration and allowances payable to members of the Emergency Services Advisory Council.

**Legislative Provision**

Section 24AA of the *Acts Interpretation Act 1954*  
Section 44 of the *Fire and Rescue Service Act 1990*

**Background**

On 1 April 2011<sup>04</sup>, the Governor in Council approved Executive Council Minute No. 111 which in Schedule "B" to that Minute provided for the remuneration and allowances payable to members of the Emergency Services Advisory Council. However, Schedule "B" of this Minute incorrectly omitted a special assignment fee payable to members.

It is proposed to rescind Schedule "B" to this Minute and seek Governor in Council approval for the remuneration payable to members including the payment of a special assignment fee.

**Purpose and Consequence**

The purpose of this Executive Council Minute is to seek Governor in Council approval to rescind Schedule "B" of Executive Council Minute No. 111 of 1 April 2011<sup>04</sup> approving the remuneration and allowances payable to members of the Emergency Services Advisory Council, and approval for the remuneration and allowances payable to members of the Emergency Services Advisory Council.

**Consultation**

The ~~Department of Industrial Relations~~ Public Service Commission and members of the Emergency Services Advisory Council.

**Results of Consultation**

All parties consulted concur with the proposed action.

.....  
<Director-General's Name> Michael Kinnane  
Director-General  
Date:

.....  
Chris Cummins <Minister's Name> MP  
<Minister's Title> for Emergency Services  
Date:

Sample Rescission Minute

Appendix 17 continued

RTI RELEASE

Sample Rescission Minute



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

~~DEPARTMENT OF TOURISM, FAIR TRADING AND WINE INDUSTRY~~  
~~DEVELOPMENT~~ JUSTICE AND ATTORNEY-GENERAL

*Acts Interpretation Act 1954*  
*Recording of Evidence Act 1962*

AN AMENDMENT

The Council recommends to Her Excellency the Governor that amendment to Schedule "A" of Executive Council Minute No. 111 of 1 April 2004<sup>12</sup> substituting the words "Susan Stevens" for the words "Susan Stephens" to correct the name of a person appointed as a recorder for the Commercial and Consumer Tribunal, be approved. (MINUTE ENDS)

RTI RELEASED

Approved.....

Sample Amendment Minute

Appendix 18 continued

**EXPLANATORY MEMORANDUM**

**Minister**

~~<Minister's Title> for Tourism, Fair Trading and Wine Industry Development~~

**Subject**

Amendment to Schedule "A" of Executive Council Minute No. 111 of 1 April 2012~~04~~<sup>04</sup> substituting the words "Susan Stevens" for the words "Susan Stephens" to correct the name of a person appointed as a recorder for the Commercial and Consumer Tribunal.

**Legislative Provisions**

Section 24AA of the *Acts Interpretation Act 1954*  
Sections 6 and 7 of the *Recording of Evidence Act 1962*

**Background**

On 1 April 2012~~04~~<sup>04</sup>, the Governor in Council approved Executive Council Minute No. 111 appointing twelve persons as recorders for the Commercial and Consumer Tribunal. However, Schedule "A" of this Minute incorrectly referred to an appointee as Susan Stephens. It is proposed to amend this Minute to record Susan Stevens as the correct name of the appointee.

**Purpose and Consequence**

The purpose of this Executive Council Minute is to seek Governor in Council approval to amend Schedule "A" of Executive Council Minute No.111 of 1 April 2012~~03~~<sup>03</sup> inserting Susan Stevens instead of Susan Stephens as the correct name of a recorder for the Commercial and Consumer Tribunal.

**Consultation**

The Department of the Premier and Cabinet.

**Results of Consultation**

The Department of the Premier and Cabinet supports the Minute.

.....  
Helen Ringrose<Director-General's Title>  
Director-General

.....  
Margaret Keech<Minister's Title>, MP  
<Minister's Title> for Tourism, Fair Trading  
and Wine Industry Development

Date:

Date:

Sample Amendment Minute

Appendix 20



Date .....

Minute No .....

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**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF COMMUNITIES, CHILD SAFETY AND DISABILITY SERVICES

EXPENDITURE PROJECT COMMENCEMENT APPROVAL

The Council recommends to His Excellency the Acting Governor that the expenditure project commencement value of ~~—~~\$15 8890 000 for the allocation of funding to XXX Inc to provide counselling and support services to victims of crime for 12 months, as set out in the enclosed Schedule, be approved. (MINUTE ENDS)

RTI RELEASED SEE

Approved.....

| Sample Minute -- Communities, Child Safety and Disability Services (Acting Governor)



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF QUEENSLAND HEALTH

Health Quality and Complaints Commission Act 1937/2006

A TERMINATION REMOVAL AND AN APPOINTMENT

The Council recommends to the Deputy Governor that-

- (a) ~~the removal appointment from office of an Assistant Commissioner to the an officer to a Statutory Office Health Quality and Complaints Commission, as set out in the enclosed Schedule 'A', be terminated approved; and~~
- (b) ~~the appointment of an officer to a Statutory Office Assistant Commissioner to the Health Quality and Complaints Commission, as set out in the enclosed Schedule 'B', be approved.~~(MINUTE ENDS)

RTI RELEASED

Approved.....

Appendix 23

Appendix 23



Date .....

Minute No .....

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**EXECUTIVE COUNCIL OF QUEENSLAND**

DEPARTMENT OF ABORIGINAL AND TORRES STRAIT ISLANDER  
POLICY NATIONAL PARKS, RECREATION, SPORT AND RACING

*Brisbane Forest Park Act 1977*  
*Community Services (Aborigines) Act 1984*

A BY-LAWS

The Council recommends to Her Excellency the Governor that the *Brisbane Forest Park Amendment By-law (No. 1) 2012*, which by laws adopted by the Cherbourg, Wujal-Wujal, Hope Vale and Umagico Aboriginal Councils marked 'A' to 'D' respectively, which provides for the protection of certain fauna within the park maintenance of law and order in those Aboriginal Council areas, be approved. (MINUTE ENDS)

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RTI RELEASE

Approved.....

Sample Minute – Aboriginal and Torres Strait Islander Policy National Parks, Recreation, Sport and Racing

Appendix 24



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Date .....

Minute No .....

**EXECUTIVE COUNCIL OF QUEENSLAND**

**DEPARTMENT OF CORRECTIVE SERVICES COMMUNITY SAFETY**

*Corrective Services Act 2006*

**A REGULATION; APPOINTMENTS; AND REMUNERATION**

The Council recommends to Her Excellency the Governor that-

- (a) the *Corrective Services (Establishment of Prisons) Amendment Regulation (No. 2) 2012* marked 'A', which declares the [name of place] Detention Centre to be a prison, be made; -and
- (b) the appointments of members of community corrections boards, as set out in the enclosed Schedule 'B' at the rates of remuneration specified therein, be approved. (MINUTE ENDS)

Approved.....

Sample Minute - ~~Corrective Services~~ Community Safety

Appendix 25



Date .....

Minute No .....

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**EXECUTIVE COUNCIL OF QUEENSLAND**

**DEPARTMENT OF STATE DEVELOPMENT AND INNOVATION, INFRASTRUCTURE  
AND PLANNING**

*Industrial Development Act 1963*

**SALE OF LAND AND A REGULATION**

The Council recommends to Her Excellency the Governor that-

- (a) the sale of land at Cannon Hill, as set out in the enclosed Schedule 'A', be approved; and
- (b) the *Industrial Development (Sale of Surplus Land) Regulation, 2012* marked 'B', which provides for the sale of a parcel of land for industrial purposes within the Wulkuraka Industrial Estate, be made. (MINUTE ENDS)

Approved.....

Sample Minute – State Development, Infrastructure and Planning Innovation



Date

Minute No

### EXECUTIVE COUNCIL OF QUEENSLAND

#### DEPARTMENT OF ENVIRONMENTAL AND HERITAGE PROTECTION AGENCY

*Beach Protection Act 1968 (repealed)  
Coastal Protection and Management Act 1995*

#### A PERMIT AND CONSENTS

The Council recommends to Her Excellency the Governor that-

- (a) a permit to erect two units at Bargara, as set out in the enclosed Schedule 'A', be granted;
- (b) consent to subdivide land at [description of land], as set out in the enclosed Schedule 'B', be given; and
- (c) consent to [name of developer] to subdivide land at [description of land] as indicated on Plan [plan number.], originally described as [lot number parish, county] situated within an erosion prone area, subject to the condition that the area designated as Public Open Space on [plan number] be surrendered to the State as Reserve for Beach Protection and Coastal Management Purposes under the management and control of [name of city council], be given. (MINUTE ENDS)

Approved.....

Sample Minute – Environment and Heritageal Protection Agency



Date

Minute No

### EXECUTIVE COUNCIL OF QUEENSLAND

DEPARTMENT OF LOCAL GOVERNMENT, PLANNING, SPORT AND RECREATION  
NATURAL RESOURCES AND MINES

*Local Government (Planning and Environment) Act 1990 (repealed)*  
*Integrated Planning Act 1997 Act 1994*

#### ORDERS

The Council recommends to Her Excellency the Governor that-

- (a) the enclosed Order marked 'A' which amends the City of Gold Coast Planning Scheme provides for the resumption of land for road purposes, be made; and
- (b) the enclosed Order marked 'B' which amends changes the City of Mackay Planning Scheme the tenure of areas of port land as specified therein, be made. (MINUTE ENDS)

Approved.....

Sample Minute – Local Government, Planning, Sport and Recreation Natural Resources and Mines



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

**DEPARTMENT OF ~~PRIMARY INDUSTRIES AND~~ AGRICULTURE, FISHERIES AND FORESTRY**

*Food Production (Safety) Act 2000*

**A REGULATION AND APPOINTMENTS**

The Council recommends to Her Excellency the Governor that-

- (a) the *Food Production (Safety) Postponement ~~Amendment~~ Regulation (No. 1) 2012* marked 'A', which provides for increases in the penalties for offences, be made; and
- (b) the appointment of members to the board of directors of Safe Food, as set out in the enclosed Schedule 'B', be approved. (MINUTE ENDS)

RTI RELEASED

Approved.....



Date

Minute No

### EXECUTIVE COUNCIL OF QUEENSLAND

#### DEPARTMENT OF ~~EDUCATION, EMPLOYMENT AND TRAINING AND~~ EMPLOYMENT

*~~Agricultural Education (Queensland College of Teachers)s Act 2005~~1994*

#### A PROCLAMATION; ~~AND APPOINTMENTS; AND REMUNERATION~~

The Council recommends to Her Excellency the Governor that-

- (a) the Proclamation marked 'A', fixing 5 February 2004~~12~~ as the day on which the provisions of the Act that are not in force commence, be made; -and
- (b) the appointments to the ~~h~~Boards of ~~the Queensland South Queensland Agricultural College of Teachers, Emerald Agricultural College, Lower Burdekin Agricultural College and Longreach Agricultural College,~~ as set out in the enclosed Schedules 'B' to 'E' respectively, for a period of ~~three~~four years from 5 February 2012~~04~~, with remuneration and allowances as detailed in the Schedules, be approved.(MINUTE ENDS)

Approved.....



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

**DEPARTMENT OF TRANSPORT AND MAIN ROADS**

*Transport Infrastructure Act 1994*

**NOTICES**

The Council recommends to Her Excellency the Governor that-

- (a) the Notice marked 'A', for the taking of land for transport infrastructure purposes, be made; and
- (b) the Notice marked 'B', for the closure of parts of roads, be made. (MINUTE ENDS)

Approved.....

Sample Minute – Transport and Main Roads



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

**DEPARTMENT OF ENERGY AND WATER SUPPLY**

*Gladstone Power Station Agreement Act 1993*

**A REGULATION**

The Council recommends to Her Excellency the Governor that the *Gladstone Power Station Agreement Regulation 2004/12*, which provides for the continuation of long service leave and retrenchment entitlements for employees at Gladstone Power Station, be made.(MINUTE ENDS)

RTI RELEASED

Approved.....

**MINISTER FOR STATE DEVELOPMENT AND INNOVATION**

EXECUTIVE COUNCIL OFFICE USE ONLY	SHORT TITLE AND FILE NUMBER	DATE OF APPROVAL
	State Development and Public Works Organisation (Bikeways Project Board and Metropolitan Transit Project Board) Repeal Order 2003  (S97/0385 VO4)*	27 November 2003

\* The File Number is located at the bottom of the subordinate legislation.

RTI RELEASED



Date

Minute No

**EXECUTIVE COUNCIL OF QUEENSLAND**

QUEENSLAND TREASURY AND TRADE DEPARTMENT

*Government Owned Corporations Act 1993*

**AN APPOINTMENT**

The Council recommends to Her Excellency the Governor that the appointment of Ms Jayne Smith to the position of Chief Executive Officer as a Director of the board of Brisbane Energy, be approved. (MINUTE ENDS)

RTI RELEASED

Approved.....

Sample Shareholding Minister Minute

**EXPLANATORY MEMORANDUM**

**Ministers**

~~Deputy Premier, Treasurer and Minister for Sport <Minister's Title>  
<Minister's Title> for Natural Resources and Mines~~

**Subject**

~~Appointment of Jayne Smith as Chief Executive Officer (CEO) a Director of the board of Brisbane Energy.~~

**Legislative Provision**

~~Section 89402(1) of the *Government Owned Corporations Act 1993*.~~

**Background**

~~The position of CEO of Brisbane Energy (BE) There is a became vacancy on the board of Brisbane Energy (BE) following the resignation of Mr John Smith t-on 10 February 201203. BE's Chief Financial Officer, Ms Smith, has been acting in the position, following the departure of the previous CEO.~~

~~The Board of BE appointed national firm Jones and Black to carry out the recruitment exercise. After short listing, final interviews involving one internal and three external applicants were conducted. The interview panel recommended Ms Smith be appointed to the position and on 31 July 2003, the BE Board approved the appointment. It is proposed that Ms Jayne Smith be appointed as a Director of the BE board to fill this vacancy. Ms Smith possesses the skills and knowledge commensurate with the duties of the role.~~

**Purpose and Consequence**

~~The purpose of this Minute is to approve the appointment of Ms Jayne Smith as CEO of a Director of the board of BE.~~

**Consultation**

~~Consultation has occurred with the Bboard of Brisbane Energy and shareholding Ministers.~~

**Results of Consultation**

~~There are no objections to the proposed appointment.~~

.....  
Gerard Bradley <Under Treasurer's Name>  
Under Treasurer and  
Under Secretary  
Date:

.....  
Terry Maekenroth <Minister's Name>, MP  
Deputy Premier, Treasurer <Minister's Title>  
and Minister for Sport  
Date:

.....  
**Sample Shareholding Minister Minute**

Appendix 33 continued

Scott Flavell <Director-General's Name>  
Director-General

~~John Mielke~~ <Minister's Name>, MP  
<Minister's Title> for Energy

Date:

Date:

RTI RELEASE

Sample Shareholding Minister Minute