

OFFICE OF MULTICULTURAL INTERESTS



MINISTER FOR CITIZENSHIP AND MULTICULTURAL INTERESTS

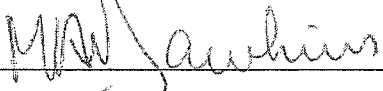
Ministerial Ref No: 48-01487  
OMI Ref No: 1253-05 / EOG/13/1751  
Date: 3 July 2013

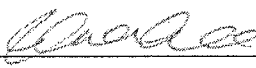
ISSUE: REVISED COMMUNICATIONS AGREEMENT

Attached is a revised Communications Agreement, prepared in accordance with the requirements of Section 74 of the *Public Sector Management Act 1994*, for the handling of all communications/contact between the Office of Multicultural Interests and the Minister's office. The Minister's office has requested that the nominated staff contact list include the details of an officer to contact if the A/Executive Director is unavailable for any reason.

Ms Narrell Lethorn (6551 8605) and Ms Claire Havard (6552 1407) are to be the initial contacts for correspondence, Parliamentary Questions and general information. Ms Bindu Sajeev (6552 1603) will be the contact point in respect of appointments and meeting details for the A/Executive Director. If the A/Executive Director is unavailable, queries should be directed to Ms Vanessa Harvey, Manager Policy and Strategy (6552 1605).

The agreement has been signed by the A/Director General and your endorsement of these arrangements is required.

<b>APPROVED</b> 
A/EXECUTIVE DIRECTOR OFFICE OF MULTICULTURAL INTERESTS

<b>RECOMMENDED</b> 
A/DIRECTOR GENERAL DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES

**COMMUNICATION AGREEMENT**  
**BETWEEN**  
**THE MINISTER FOR CITIZENSHIP AND MULTICULTURAL INTERESTS**  
**AND THE**  
**OFFICE OF MULTICULTURAL INTERESTS**

**1. BASIS FOR COMMUNICATION**

In accordance with *Section 74 of the Public Sector Management Act 1994*, the following arrangements will apply concerning the circumstances and manner in which communications and dealings will occur between Ministerial officers and employees of the Office of Multicultural Interests (hereafter called the Agency).

This Agreement seeks to ensure:

- quality service to the Minister's office;
- accuracy in written communications and Ministerial correspondence;
- efficient monitoring and tracking; and
- timeliness in the delivery of Ministerial services and correspondence.

In all communications, the statutory obligations and responsibilities of the relevant parties will be preserved.

**2. MINISTERIAL OFFICE COMMUNICATIONS TO THE AGENCY**

▪ **Routine requests for information or research**

These are to be directed through the Executive Director or nominated officer(s) shown at Appendix 1. Telephone contact with general Agency staff should not occur.

▪ **Arranging a meeting with relevant Agency staff and requesting their attendance**

All matters of a strategic nature will be referred to the Executive Director or other officers nominated by the Executive Director. For other matters, the appropriate nominated staff shown at Appendix 1 may be approached direct.

## ▪ **Directions to the Agency**

Ministerial staff will only direct officers of the Agency in a manner consistent with Section 74(2) of the *Public Sector Management Act 1994* – ie with the agreement of the employing authority. Any directions by the Minister to a specific Board of Management within the agency or Minister's portfolio will be given in accordance with the specific Act under which the Board was established.

## ▪ **Ministerials**

### Ministerial Correspondence

Requests from the Minister's office for draft responses to Ministerial correspondence will be sent to the Agency in hard copy. Draft responses for the Minister's signature will be prepared by the agency and forwarded to the Minister's office for consideration in hard copy. A copy of the final correspondence, showing the date it was signed by the Minister, will be returned to the Agency in hard copy.

### Briefing Notes

Requests for urgent briefing notes will be sent in hard copy to nominated officers in the Agency. Briefing Notes, following approval by the Executive Director will be returned to the requesting officer in hard copy. All Briefing Notes, whether specifically requested or prepared at the Agency's instigation, will be provided to the Minister's office in the agreed format.

### Speech Notes

Only urgent requests for speeches and associated notes will be sent to the Agency via email. Speeches and associated event notes will be prepared, using the agreed format, by Agency staff and approved by the Executive Director.

### Parliamentary Questions

Requests for draft responses to Parliamentary questions will be forwarded to the nominated officers in the Agency via the Parliamentary Questions System, with responses prepared and returned following the Executive Director's approval. All responses will include the name and contact number of an officer who can advise on any changes or provide further urgent information if needed.

### Timelines

The following timelines will apply for Ministerials:

- Ministerial correspondence – turnaround time for Members of Parliament will be five working days following receipt and for members of the general public, 10 working days following receipt;
- Briefing notes – turnaround time as requested by the Minister's office;
- Speech notes – turnaround time as requested by the Minister's office; and
- Media inquiries – turnaround time as requested by the Minister's Media Adviser.

- **Requirements involving the Agency in committing resources (beyond the normal functions and duties of the Agency officers)**

All such requests will be directed in writing to the Executive Director. If this is not possible, the Executive Director will be informed as soon as practicable.

- **Significant and/or Contentious Issues**

The Executive Director will ensure that the Minister is thoroughly informed as soon as possible on all significant and/or contentious issues and, in particular, on any pending or likely adverse findings by regulatory bodies.

### **3. AGENCY COMMUNICATIONS TO THE MINISTERIAL OFFICE**

- **Communications from the Agency to the Minister's Office**

The Executive Director and other nominated officers will provide advice in a timely manner for the Minister's attention through the Minister's Chief of Staff or other nominated Ministerial staff member.

Routine communications relating to administrative requests, for example requests for extensions, are to be directed to the requesting officer from the Minister's office.

- **Formal meetings with the Minister**

Formal meetings between the Executive Director and the Minister will occur on a regular basis as scheduled with the Minister's Appointments Secretary.

- **Communications between the Agency and Members of Parliament**

All communications with Members of Parliament must be directed through the Minister's office in the first instance. All approaches for Ministerial visits by other State or Federal Ministers, or by members of the Agency to a State or Federal Minister's office, will be co-ordinated through the Minister's Policy Adviser.

- **Cabinet matters**

All submissions for consideration by Cabinet are to be directed through the Minister's office and signed-off by the Executive Director or other officer nominated by the Executive Director. A minimum of 10 working days needs to be allowed for the internal considerations to be completed.

▪ **Media**

Any media enquiries made directly to the Agency should be discussed in the first instance with the Minister's media adviser.

**4. RESOLUTION PROCEDURE**

▪ **Resolution procedure for a breach of these arrangements**

In the first instance, the Minister or Chief of Staff and Executive Director will discuss any breach of this arrangement and decide on the appropriate action.



**DR MIKE NAHAN MLA  
MINISTER FOR ENERGY; FINANCE;  
CITIZENSHIP AND MULTICULTURAL  
INTERESTS**

Date: 16-7-13

**JENNIFER MATHEWS  
A/DIRECTOR GENERAL  
DEPARTMENT OF LOCAL  
GOVERNMENT AND  
COMMUNITIES**

Date: J. Mathews

## Appendix 1

### Nominated Staff Contact List

Name	Title	Direct Line	Email
Jennifer Mathews	A/Director General Department of Local Government and Communities	6552 1414	<a href="mailto:jennifer.mathews@dlgc.wa.gov.au">jennifer.mathews@dlgc.wa.gov.au</a>
Margaret Dawkins	A/Executive Director Office of Multicultural Interests	6552 1602	<a href="mailto:margaret.dawkins@omi.wa.gov.au">margaret.dawkins@omi.wa.gov.au</a>
Narrell Lethorn	A/Director Executive Services	6551 8605	<a href="mailto:narrell.lethorn@dlgc.wa.gov.au">narrell.lethorn@dlgc.wa.gov.au</a>
Claire Havard	Executive Services Coordinator	6552 1407	<a href="mailto:claire.havard@dlgc.wa.gov.au">claire.havard@dlgc.wa.gov.au</a>
Vanessa Harvey	Manager Policy and Strategy	6552 1605	<a href="mailto:vanessa.harvey@omi.wa.gov.au">vanessa.harvey@omi.wa.gov.au</a>
Bindu Sajeev	Executive Assistant Office of Multicultural Interests	6552 1603	<a href="mailto:bindu.sajeev@omi.wa.gov.au">bindu.sajeev@omi.wa.gov.au</a>
Liz Rehfeldt (media)	Manager Promotions Office of Multicultural Interests	6552 1614	<a href="mailto:liz.rehfeldt@omi.wa.gov.au">liz.rehfeldt@omi.wa.gov.au</a>

Our ref: 62502

DM# 10555146

**MINISTER FOR ENERGY**



Western Power acknowledges the request from your Office to draft a communications agreement governing interactions between the staff of the Minister for Energy and staff of Western Power.

Please find attached a communications protocol for your consideration.

**RECOMMENDATION**

That you sign the agreement:



**PAUL ITALIANO  
CHIEF EXECUTIVE OFFICER  
WESTERN POWER**

24 MAY 2013

**NOTED**



**DR MIKE NAHAN MLA  
MINISTER FOR ENERGY; FINANCE;  
CITIZENSHIP AND MULTICULTURAL  
INTERESTS**

Our ref: 62502  
DM# 10555146

## **MINISTER FOR ENERGY**

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### **ARRANGEMENTS FOR COMMUNICATIONS AND DEALINGS BETWEEN STAFF OF THE OFFICE OF THE MINISTER FOR ENERGY AND STAFF OF WESTERN POWER**

#### **Background**

Western Power is a statutory corporation established by the *Electricity Corporations Act 2005 (WA)* (the Act). It is owned by the State Government of Western Australia and is accountable to the Minister for Energy.

Section 74(1) of the *Public Sector Management Act 1994* requires a Minister to make communication arrangements in writing in relation to each department or organisation (including a number of boards and committees) for which he or she is responsible.

This communication protocol reflects the particular relationship between Western Power as a Government Trading Enterprise and the Minister.

The Act contains a number of legislative powers and obligations for Western Power and the Minister. Below is a summary of the key powers and obligations outlined in the Act in relation to the operation of the Corporation and communication of information between Western Power and the Minister.

#### **Key powers and obligations:**

- Western Power must obtain the approval of the Minister before certain transactions are entered into (section 67 & 68)
- Western Power must consult the Minister before it enters upon a course of action that in its opinion amounts to a major initiative or is likely to be of significant public interest (section 70)
- The Minister is entitled to have access to information in the possession of Western Power and Western Power must keep the Minister reasonably informed of the operations, financial performance and financial position of Western Power (section 116 to 118)
- Board must give Minister notice of financial difficulty (section 119)
- The Board must each year prepare and submit to the Minister for his or her agreement a strategic development plan for Western Power and any subsidiary which sets out economic and financial objectives and



operational targets for a 5 year period and how those objectives and targets will be achieved (Part 5, Div. 1)

- Annually, the Board must prepare and submit to the Minister for his or her agreement, a draft statement of corporate intent for Western Power and any subsidiary (Part 5, Div. 2)
- Western Power must prepare and deliver to the Minister quarterly and annual reports (Part 5, Div. 3)
- Defined process for nominations and appointments to the Board (section 8)
- Determining the remuneration of non-executive directors (section 11)
- Western Power must obtain the approval of the Minister before it acquires a subsidiary or enters into any transaction that will result in the acquisition of a subsidiary (section 64)
- The Minister may give written directions to Western Power with respect to the performance of its functions, either generally or in relation to a particular matter (Part 5, Div 4)
- There is a mutual right to consult with Board in relation to the operation of Western Power (section 115)
- The Board must report annually on the observance of Western Power staff with the Corporation's code of conduct (section 31)
- The Minister may give directions in writing to Western Power with respect to the performance of its functions, either generally or in relation to a specific matter (section 111)

In order to support the Minister in discharging his/her duties and enable Western Power to comply with its legislative obligation the following protocols should be observed.

❖ **Communications from the Office of the Minister to Western Power:**

All requirements should be for, and on behalf of, the Minister in relation to his responsibilities as Minister. Should this not be the case, this should be made clear at the time.

- ***Routine requests for information or research***

These will normally be directed through the Chief Executive Officer or nominated officer.

- ***Arranging a meeting with relevant Corporation staff and requesting their attendance***

All matters of a strategic nature must be referred to the Chief Executive Officer or nominated officer. For other matters, the appropriate delegated staff may be approached direct.

- ***Matters relating to the drafting of legislation***

For each piece of legislation, a drafting officer will be nominated and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the Chief Executive Officer informed of developments.

- ***Requests for briefing notes***

All requests should be made through the Chief Executive Officer or nominated officer. If these officers are not available, the senior officer approached should inform the Chief Executive Officer or nominated officer of the request and subsequent action as soon as practicable. Wherever practicable, the relevant authorised Corporation officer should sign off the briefing note.

- ***Requirements involving the Corporation in committing resources (beyond the normal functions and duties of the Corporation's officers)***

All such requests should be directed to the Chief Executive Officer. If this is not possible, the Chief Executive Officer must be informed as soon as practicable. The request should be put in writing.

## **❖ Communications from Western Power to the Office of the Minister**

Non-routine communications should be directed through the Minister's Chief of Staff, or other officer nominated by the Minister or Chief of Staff.

For all communications of a 'strategic' policy nature where the Corporation has provided a response, it should be specified whether the Chief Executive Officer or nominated officer has actually seen the response before it was sent from the Corporation.

❖ **Communication between the Board of Western Power and the Minister**

Communications from the Minister to the Board should be through the Chairman; alternatively communications from the Board to the Minister will be through the Chairman.

❖ **Communications from Western Power to the Office of a Minister responsible for another portfolio**

The Office of the Minister is to be informed of such communications where the Chief Executive Officer considers the matter is such that there is a 'need to know' by the Office of the Minister.

❖ **Cabinet matters**

All submissions for consideration by Cabinet must be directed through the Office of the Minister.

❖ **On specific matters:**

- **Chief Executive Officer performance.**

Matters relating to the Chief Executive Officer's performance will be communicated through the Chairman to the Minister and vice versa.

❖ **Resolution procedure for a breach of these arrangements**

In the first instance, the Minister or his Chief of Staff and the Chief Executive Officer will discuss the breach and decide on any further action.



**PAUL ITALIANO  
CHIEF EXECUTIVE OFFICER  
WESTERN POWER**



**DR MIKE NAHAN MLA  
MINISTER FOR ENERGY; FINANCE;  
CITIZENSHIP AND  
MULTICULTURAL INTERESTS**

Date: 24 May 2013

Date: 30-5-13

48-00401

**COPY**

**RECEIVED**

15 APR 2013

**MINISTER'S OFFICE**

Our ref: V10510  
Enquiries: Doug White  
Corporate Relations Manager  
Telephone: 9424 1977

**MINISTER FOR ENERGY**


**COMMUNICATIONS AGREEMENT WITH VERVE ENERGY**

As requested, please find attached a draft s74 Communications Agreement between Verve Energy and the Energy Minister.

**RECOMMENDATION**

For the Minister's approval and signature.

Approved/Not Approved

  
**JASON WATERS**  
**CHIEF EXECUTIVE OFFICER**  
**VERVE ENERGY**

5 April 2013



**MINISTER FOR ENERGY**



## ARRANGEMENTS FOR COMMUNICATIONS AND DEALINGS BETWEEN THE OFFICE OF THE MINISTER FOR ENERGY AND VERVE ENERGY

### ❖ Communications from the Office of the Minister to Verve Energy

All requirements should be for, and on behalf of, the Minister in relation to his/her responsibilities as Minister. Should this not be the case, this should be made clear at the time.

- ***Routine requests for information or research***

These will normally be directed through Verve Energy's Corporate Relations branch, led by Corporate Relations Manager Doug White. Contact details for the Corporate Relations branch area as follows:

Doug White	Corporate Relations Manager	9424 1977
Vaninka Vittiglia	Corporate Relations Officer	9424 1971
Julie Turner	Corporate Relations Officer	9424 1943

- ***Arranging a meeting with relevant Verve Energy staff and requesting their attendance***

All matters of a strategic nature must be referred to the Corporate Relations Manager Doug White. Meetings with Verve Energy's CEO Jason Waters or Chairman David Eiszele can be arranged with the CEO's Executive Assistant Sheila Rejek on 9424 1963.

- ***Matters relating to the drafting of legislation***

For each piece of legislation, a Corporate Relations Officer will be nominated and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the CEO informed of developments.

- ***Requests for briefing notes***

All requests should be made through the Corporate Relations branch. If these officers are not available, the senior officer approached should inform the CEO or relevant General Manager of the request and subsequent action as soon as practicable. Wherever practicable, the CEO or relevant General Manager should sign off the briefing note.

Requests from the Minister's Office to Verve Energy for briefing notes and contentious issues should come from the COS, Media Advisor or the Senior Energy Policy Advisor.

- ***Requirements involving Verve Energy in committing resources (beyond the normal functions and duties of the organisation's officers)***

All such requests should be directed to the General Manager Corporate Services Derek Noakes on 9424 1867. If this is not possible, the CEO must be informed as soon as practicable. The request should be put in writing.

❖ **Communications from Verve Energy to the Office of the Minister**

Non-routine communications should be directed through the Minister's Chief of Staff, or Senior Energy Policy Advisor.

For all communications of a 'strategic' policy nature where Verve Energy has provided a response, it should be specified whether the CEO or relevant General Manager has actually seen the response before it was sent from Verve Energy.

❖ **Communications from Verve Energy to the Office of a Minister responsible for another portfolio**

The Office of the Minister is to be informed of such communications where the CEO considers the matter is such that there is a 'need to know' by the Office of the Minister.

❖ **Cabinet matters**

All submissions for consideration by Cabinet must be directed through the Office of the Minister.

❖ **Resolution procedure for a breach of these arrangements**

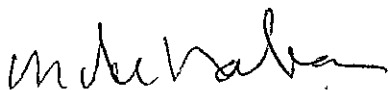
In the first instance, the Minister or his/her Chief of Staff and the CEO will discuss the breach and decide on any further action.

❖ **Media Enquiries**

Verve Energy's Corporate Relations branch will inform the Minister's Media Advisor, and/or COS when appropriate, of any and all media enquiries received by Verve Energy and liaise directly with the Minister's Media Advisor prior to sending a final response approved by Verve Energy.

❖ **Directions by Office of the Minister staff to Verve Energy staff by the Minister, on the manner in which they are to perform their duties**

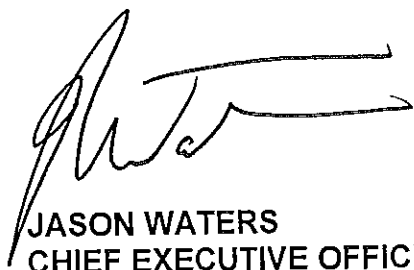
In circumstances where it appears desirable that Office of the Minister staff give direction to an officer of Verve Energy on the manner in which they are to perform their functions, the concurrence of the CEO should be sought.



**DR MIKE NAHAN  
MINISTER FOR ENERGY**

16-4-13

Date:



**JASON WATERS  
CHIEF EXECUTIVE OFFICER  
VERVE ENERGY**

11 April 2013

15 APR 2013

MINISTER'S OFFICE

COPY

synergy  
energy solutions you can use

**ARRANGEMENTS FOR COMMUNICATIONS AND DEALINGS BETWEEN STAFF  
OF THE OFFICE OF THE MINISTER FOR ENERGY AND  
STAFF OF SYNERGY**

- **Communications from the Office of the Minister to Synergy**

All requirements should be for, and on behalf of, the Minister in relation to his/her responsibilities as Minister. Should this not be the case, this should be made clear at the time.

- **Routine requests for information or research**

These will normally be directed through the CEO or nominated officer.

- **Arranging a meeting with relevant Corporation staff and requesting their attendance**

All matters of a strategic nature must be referred to the CEO or nominated officer. For other matters, the appropriate delegated staff may be approached direct.

- **Matters relating to the drafting of legislation**

For each piece of legislation, a drafting officer will be nominated and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the CEO informed of developments.

- **Requests for briefing notes**

All requests should be made through the CEO or nominated officer. If these officers are not available, the senior officer approached should inform the CEO or nominated officer of the request and subsequent action as soon as practicable. Wherever practicable, the relevant authorised departmental officer should sign off the briefing note.

- **Requirements involving the Corporation in committing resources (beyond the normal functions and duties of the Corporation's officers)**

All such requests should be directed to the CEO. If this is not possible, the CEO must be informed as soon as practicable. The request should be put in writing.



- **Communications from Synergy to the Office of the Minister**

Non-routine communications should be directed through the Minister's Chief of Staff, or other officer nominated by the Minister or Chief of Staff.

For all communications of a 'strategic' policy nature where the Corporation has provided a response, it should be specified whether the CEO or nominated officer has actually seen the response before it was sent from Synergy.

- **Communications from Synergy to the Office of a Minister responsible for another portfolio**

The Office of the Minister is to be informed of such communications where the CEO considers the matter is such that there is a 'need to know' by the Office of the Minister.

- **Cabinet matters**

All submissions for consideration by Cabinet must be directed through the Office of the Minister.

- **Resolution procedure for a breach of these arrangements and raising of significant matters**

In the first instance, the Minister or his/her Chief of Staff and the Chairman will discuss the breach or significant matter and decide on any further action.


- **Directions by staff of the Office of the Minister, to staff of Synergy by the Minister, on the manner in which they are to perform their duties**

In circumstances where it appears desirable that Office of the Minister staff give direction to an officer of the Corporation on the manner in which they are to perform their functions, the concurrence of the CEO should be sought.



**MINISTER**

Date: 17-4-13



**CHAIRMAN**

Date: 15 April 2013

## **MINISTER FOR ENERGY**

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### **COMMUNICATIONS AGREEMENT**

Please find attached a communications agreement detailing the interactions between the staff of the Minister for Energy and the staff of Horizon Power for your consideration.

### **RECOMMENDATION**

That you sign the attached agreement.



**FRANK TUDOR  
MANAGING DIRECTOR ELECT**

21 JUN 2013

At:

NOTED

**DR MIKE NAHAN MLA  
MINISTER FOR ENERGY; FINANCE;  
CITIZENSHIP AND MULTICULTURAL  
INTERESTS**

Date:.....

Originated by;  
Tracy Armson  
Manager, Public Affairs and Communications  
Ph: 6310 1575

## COMMUNICATIONS AGREEMENT

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### BACKGROUND

Horizon Power is a statutory corporation established by the *Electricity Corporations Act 2005 (WA)* (the Act.) It is owned by the State Government of Western Australia and as such is accountable to the Minister for Energy.

Section 74 (1) of the *Public Sector Management Act 1994* requires a Minister to make arrangements in writing in relation to each department or organisation for which the Minister is responsible, setting out the manner in which, and the circumstances in which, dealings are to be had, and communications are to be made, between ministerial officers assisting the Minister and the employees in that department or organisation.

This communications agreement includes the relevant arrangements between Horizon Power as a Government Trading Enterprise and the Minister for Energy.

The Act contains a number of obligations for Horizon Power and the Minister. Below is a summary of the key powers and obligations outlined in the Act in relation to the operation of Horizon Power and communication with the Minister.

### Key Powers and Obligations

- Horizon Power must obtain the approval of the Minister before entering into certain contracts or arrangements (section 67 and 68)
- Horizon Power must consult the Minister before it enters a course of action that amounts to a major initiative or is likely to be of significant public interest (section 70)
- The Minister is entitled to have access to information in the possession of Horizon Power and Horizon Power must keep the Minister informed of the operations, financial performance and financial position of its business (sections 116 to 119)
- The Board must give the Minister notice of financial difficulty (section 119)
- The Board must prepare and submit for approval annually a strategic development plan for Horizon Power which sets out economic and financial objectives and operational targets for a five year period and how those objectives and targets will be achieved (Part 5 Div 1)
- Horizon Power must obtain the approval of the Minister before it acquires a subsidiary or enters into any transaction that will result in the acquisition of a subsidiary (section 64)
- The Board must report annually on compliance with Horizon Power's code of conduct.
- The Minister may give directions in writing to Horizon Power with respect to the performance of its functions, either generally or in relation to a specific matter (section 111)



## **CURRENT STATUS**

Arrangements for communications and dealings between staff of the office of the Minister for Energy and Horizon Power are detailed below;

### **❖ Communications from the Office of the Minister for Energy to Horizon Power**

All requirements should be for, and on behalf of, the Minister in relation to his/her responsibilities as Minister. Should this not be the case, this should be made clear at the time.

- ***Routine requests for information or research***

These will normally be directed through the Managing Director Elect or nominated officer.

- ***Arranging a meeting with relevant Horizon Power staff and requesting their attendance***

All matters of a strategic nature must be referred to the Managing Director Elect or nominated officer. For other matters, the appropriate delegated staff may be approached direct.

- ***Matters relating to the drafting of legislation***

For each piece of legislation, a drafting officer will be nominated and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the Managing Director Elect informed of developments.

- ***Requests for briefing notes***

All requests should be made through the Managing Director Elect or nominated officer. If these officers are not available, the senior officer approached should inform the Managing Director Elect or nominated officer of the request and subsequent action as soon as practicable. Wherever practicable, the relevant authorised Horizon Power officer should sign off the briefing note.

- ***Requirements involving Horizon Power in committing resources (beyond the normal functions and duties of their officers)***

All such requests should be directed to the Managing Director Elect. If this is not possible, the Managing Director Elect must be informed as soon as practicable. The request should be put in writing.

### **❖ Communications from Horizon Power to the Office of the Minister for Energy**

Non-routine communications should be directed through the Minister's Chief of Staff, or other officer nominated by the Minister or Chief of Staff.

For all communications of a 'strategic' policy nature where Horizon Power has provided a response, it should be specified whether the Managing Director Elect or nominated officer has actually seen the response before it was sent from Horizon Power.

❖ **Communications from Horizon Power the Office of a Minister responsible for another portfolio**

The Office of the Minister is to be informed of such communications where the Managing Director Elect considers the matter is such that there is a 'need to know' by the Office of the Minister.

❖ **Cabinet matters**

All submissions for consideration by Cabinet must be directed through the Office of the Minister.

❖ **Resolution procedure for a breach of these arrangements**

In the first instance, the Minister or his Chief of Staff and the Managing Director Elect will discuss the breach and decide on any further action.

❖ **Nominated Officers**

Nominated Officers at Horizon Power are, in order of delegation, the General Manager Corporate Affairs, the Manager, Public Affairs and Communication, Administration Assistant; and the Office of Managing Director Manager.



**FRANK TUDOR**  
**MANAGING DIRECTOR ELECT**

**DR MIKE NAHAN MLA**  
**MINISTER FOR ENERGY; FINANCE;**  
**CITIZENSHIP AND MULTICULTURAL**  
**INTERESTS**

At:

21 JUN 2013

Date:.....



**RECEIVED**

03 APR 2013

**MINISTER'S OFFICE**

**MINISTERIAL**

**COMMUNICATIONS AGREEMENT**

**MINISTER FOR ENERGY; FINANCE**

**Purpose**

To provide a Communications Agreement between the Minister for Energy; Finance and the Department of Finance.

**Recommended Action**

That you sign the three copies of the Communications Agreement included as Attachment 3. One copy is for return to the Department.

**Issues**

- The *Public Sector Management Act 1994* requires a Communications Agreement to be in place between each department and its ministerial office, setting out a communication process.

- Specifically, Section 74 of the Act requires that:

"(1) A Minister of the Crown shall –

- (a) as soon as practicable after this section commences; or
- (b) if he or she becomes a Minister of the Crown after this section commences, as soon as practicable after becoming a Minister of the Crown,

make arrangements in writing in relation to each department or organisation for which the Minister of the Crown is responsible setting out the manner in which, and the circumstances in which, dealings are to be had, and communications are to be made, between ministerial officers assisting the Minister of the Crown and the employees in that department or organisation."

**Background Information**

- **Attachment 1** outlines the responsibilities of the Department in relation to the Energy and Finance portfolios and includes the contact details of relevant officers. This is consistent with the Communications Agreement which specifies that requests for information or research will be made at Deputy Director General/Executive Director/Commissioner level or higher.
- **Attachment 2** lists the legislation pertaining to the Energy and Finance portfolios.
- **Attachment 3** is the Communications Agreement (three copies).

Approved / Not Approved

Anne Nolan  
DIRECTOR GENERAL

**APPROVED BY MINISTER**

**DR MIKE NAHAN MLA**  
**MINISTER FOR ENERGY; FINANCE**

2 April 2013  
Att.

Date: 15/4/13

## MINISTER FOR ENERGY; FINANCE

DEPARTMENT OF FINANCE  
FUNCTIONAL RESPONSIBILITIES SERVICING THIS PORTFOLIO

<b>Energy</b>		
<b>Anne Nolan</b>	<b>Director General</b>	<b>6551 1101</b>
<b>Energy</b>		
<b>Public Utilities Office</b>	<b>Deputy Director General</b> <i>Ray Challen</i>	<b>6551 4753</b> <b>0408 321 262</b>
<b>Strategy, Policy and Planning</b> Undertakes research and analysis and provides policy advice on: <ul style="list-style-type: none"> <li>• electricity and gas regulatory frameworks;</li> <li>• energy markets;</li> <li>• energy supply and security;</li> <li>• consumer policy</li> </ul>	<b>Director</b> <i>Nerea Ugarte</i>	<b>6551 4662</b> <b>0417 158 181</b>
<b>Government Businesses</b> Undertakes research and analysis and provides policy advice on the State's energy businesses, including: <ul style="list-style-type: none"> <li>• business strategy and planning;</li> <li>• performance assessment; and</li> <li>• commercial appraisal of proposed major investments and transactions</li> </ul>	<b>Director</b> <i>Guido Gadowsky</i>	<b>6551 4763</b> <b>0437 331 119</b>
<b>Industry and Market Knowledge</b> <ul style="list-style-type: none"> <li>• Undertakes research and analysis of the utilities sector to support informed debate on policy and planning for utility services</li> <li>• Develops, publishes and distributes information that facilitates stakeholder engagement and participation in the development and implementation of policy, regulation and programs</li> </ul>	<b>Director</b> <i>To be advised</i>	<b>6551 4757</b>
<b>Programs and Emergency Management</b> <ul style="list-style-type: none"> <li>• Develops and implements programs to achieve the Government's energy policy objectives</li> <li>• Develops plans to respond to energy emergencies and assists the Coordinator of Energy in responding to energy emergencies</li> </ul>	<b>A/Director</b> <i>Bryon McLaughlin</i>	<b>6551 4651</b> <b>0437 753 249</b>

## Finance

### Building Management and Works

- Responsible for planning, delivery and management of buildings for government:
  - managing the procurement of the Government's non-residential building program;
  - managing the maintenance and improvements program for the Government's non-residential building assets;
  - managing the Government's office portfolio through the Government Office Accommodation Master Plan;
  - assisting agencies in asset planning and business case development;
  - establishing project management, asset management and works procurement best practice; and
  - administering a range of heritage and built environment matters
- Work with Government Procurement to deliver combined procurement and works services in the regions
- Manage the Apprentice Training Program
- Responsible for managing Fremantle Prison
- Provides administrative support to the Office of the Government Architect

**A/Executive Director**  
*Jennifer McGrath*

**6551 1601**  
**0427 990 935**

### State Revenue

- Assessment and collection of a range of taxes and the payment of grants and subsidies for the Government and other State and Commonwealth agencies:
  - major taxes – duties, land tax and payroll tax; and
  - major grants and subsidies – First Home Owner Grant, pensioner and seniors rates and charges, concessions and certain energy subsidies

**Commissioner**  
*Bill Sullivan*

**9262 1401**  
**0419 944 798**

### Government Procurement

- Support agencies to conduct their individual procurement needs and to manage whole-of-government contracting arrangements
- Manage State Fleet, ServiceNet, TendersWA and Gateway related services and projects

**Executive Director**  
*Rod Alderton*

**6551 1301**  
**0439 091 584**



<b>Shared Services</b> <ul style="list-style-type: none"> <li>• Provision of a range of corporate services to 43 government agencies under a whole-of-government approach. Services are: <ul style="list-style-type: none"> <li>– Human Resources</li> <li>– Finance and Procurement</li> <li>– Payroll</li> </ul> </li> <li>• Management of the Decommissioning Program which will see the transition of 59 government agencies from Shared Services to new corporate services systems and arrangements by 31 December 2013</li> </ul>	<b>Executive Director</b> <i>Stephanie Black</i>	<b>9258 0066</b> <b>0407 424 572</b>
<b>Corporate Communications Team – Media</b> <ul style="list-style-type: none"> <li>• Manages ministerial and departmental media inquiries</li> <li>• Drafts ministerial media statements, talking points, speeches</li> <li>• Assists with ministerial events for policy announcements</li> <li>• Develops media strategies and public awareness campaigns</li> <li>• Daily media monitoring and advice on media engagement</li> </ul>	<b>Director, Corporate Communications</b> <i>Geraldine Capp</i>	<b>6551 1088</b> <b>0401 687 691</b>

**MINISTER FOR ENERGY; FINANCE**  
**LEGISLATIVE RESPONSIBILITIES**

**Energy**

**Public Utilities Office**

- Dampier to Bunbury Pipeline Act 1997
- Electricity Corporations Act 2005
- Electricity Industry Act 2004 (all parts other than Part 9A)
- Energy Arbitration and Review Act 1998
- Energy Coordination Act 1994 (Act other than Parts 2 and 3)
- Energy Corporations (Transitional and Consequential Provisions) Act 1994
- Energy Operators (Powers) Act 1979
- Electricity Transmission and Distribution Systems (Access) Act 1994
- Fuel, Energy and Power Resources Act 1972
- Gas Corporation (Business Disposal) Act 1999
- Gas Services Information Act 2012
- Gas Supply (Gas Quality Specifications) Act 2009 (Act other than Part 5, Division 2)
- National Gas Access (WA) Act 2009
- State Energy Commission (Validation) Act 1978

**Finance**

**State Revenue**

- Commonwealth Places (Mirror Taxes Administration) Act 1999
- Duties Act 2008
- First Home Owner Grant Act 2000
- First Home Owner Grant Amendment Act 2003
- Land Tax Act 2002
- Land Tax Assessment Act 2002
- Payroll Tax Act 2002
- Payroll Tax Assessment Act 2002

- Pay-roll Tax (Indigenous Wages) Rebate Act 2012
- Payroll Tax Rebate Act 2010
- Pay-roll Tax Rebate Act 2012
- Rates and Charges (Rebates and Deferrals) Act 1992
- Stamp Act 1921
- Stamp Amendment (Assessment) Act 2005
- Stamp Amendment (Budget) Act 2002
- Taxation Administration Act 2003
- Taxation Administration (Consequential Provisions) Act 2002

#### **Building Management and Works**

- Public Works Act 1902

#### **Government Procurement**

- State Supply Commission Act 1991

## **COMMUNICATIONS AGREEMENT BETWEEN THE OFFICE OF THE MINISTER FOR ENERGY; FINANCE AND OFFICERS OF THE DEPARTMENT OF FINANCE**

### **Background**

In accordance with Section 74 of the *Public Sector Management Act 1994*, the following concerns the circumstances and manner in which communications (both written and verbal) shall be conducted between ministerial staff supporting the Minister for Energy; Finance and the employees of the Department of Finance.

All requirements from the Minister's office to the Department should be for, and on behalf of the Minister, in relation to his responsibilities as Minister for Energy; Finance.

It is important that the statutory obligations and responsibilities of the Department are preserved in all communication matters.

### **Communications from the Minister's office to the Department**

- ***Ministerial correspondence***

All ministerial correspondence from the Minister's office will flow through the Ministerial Liaison Manager to the Deputy Director General/Executive Director/Commissioner for response.

Requests for information regarding a particular taxpayer's matter should be addressed to the Commissioner of State Revenue and must not be copied to officers outside the Minister's office, State Revenue or any other party without the express permission of the taxpayer.

Ministerial responses for the Premier, Ministers and Members of Parliament should be allocated five working days to complete.

Routine ministerials should be allocated ten working days to complete. If the Department requires further time to prepare a response, an extension will be sought via email to the Ministerial Liaison Manager who will contact the appropriate person in the Minister's office.

Urgent requests requiring a short turnaround timeframe are to be negotiated between the Minister's office and the Ministerial Liaison Manager.

- ***Requests for briefing notes***

Requests for briefing notes should be made in writing or by email to the Director General or Deputy Director General/appropriate Executive Director/Commissioner and copied to the Ministerial Liaison Manager for allocation to an action officer.

For matters of a strategic, budgetary or policy nature or which are politically sensitive, the Director General will sign the briefing note; for other matters, the Deputy Director General/appropriate Executive Director/Commissioner will sign.

- ***Routine requests for information or research***

Routine requests for information or research should be directed to the Deputy Director General/appropriate Executive Director/Commissioner and copied to the Ministerial Liaison Manager. The request will be dealt with within the Department at Director level or higher to ensure that the information requested is actioned by the most appropriate officer/s within the organisation.

- ***Requesting a departmental representative to attend a ministerial meeting***

In regard to matters of a strategic, budgetary or policy nature, requests to attend ministerial meetings are to be referred through the Director General.

For other matters, the Deputy Director General/appropriate Executive Director/Commissioner may be approached directly with the Director General being informed of the nature of the request.

- ***Matters relating to the drafting of legislation***

All matters relating to the drafting of legislation will be requested in writing via the Director General.

- ***Requirements involving the Department in committing resources (beyond the normal functions and duties of departmental officers)***

All such requests should be directed to the Director General in writing or by email. If time constraints do not permit, requests should be directed to the Deputy Director General/appropriate Executive Director/Commissioner and the Director General must be informed the same day by email.

- ***Cabinet matters***

All requests from the Minister's office for the development of Cabinet submissions should be made in writing or email to the Director General.

- ***Parliamentary Questions***

All requests for suggested responses to Parliamentary Questions should be directed to the Ministerial Liaison Manager for allocation and action.

The Director General will sign all Parliamentary Questions unless time constraints do not permit, in which case, the Deputy Director General/appropriate Executive Director/Commissioner will sign.

- ***Media enquiries***

All requests by the Minister's office for media information from the Department will be directed through the Director, Corporate Communications and copied to the Ministerial Liaison Manager.

In the event that the media contacts the Minister's office and information is required from the Department to respond:

- the Director, Corporate Communications will obtain the required information from the Deputy Director General/relevant Executive Director/Commissioner;
- when the required information has been obtained, the Director, Corporate Communications will seek approval from the Director General (or Deputy Director General/Executive Director/Commissioner if time constraints require) to release that information to the Minister for Energy; Finance's media adviser; and
- once the Director General has approved release of the information, the Ministerial Liaison Manager will forward the information to the Minister for Energy; Finance's media adviser.

- ***Matters of a political nature***

Requests should not be made of departmental officers to comment on, or prepare, documents of a 'political' nature. Discretion regarding these requests will rest with the Director General.

- ***Placements and secondments***

An officer placed in the Minister's office to provide a departmental viewpoint on a specified range of issues will be under the direction of the Chief of Staff. An officer seconded to the Minister's office is, for the period of the secondment, under the direction of the Minister.

## Communications from the Department to the Minister's office

- **Ministerial correspondence**

All ministerial correspondence between the Minister's office and the Department will flow through the Ministerial Liaison Manager to the Senior Policy Advisers for Energy/Finance, Executive Officer and/or the Correspondence Officer in the Minister's office.

Both the Minister's office and the Department will take all necessary steps to protect the confidentiality of sensitive material.

- **Communications from the Department to the office of a Minister responsible for an external Energy/Finance related matter**

All communication between the Department and an external Minister's office, which may impact on the Energy; Finance portfolios, shall be directed through the Minister's office.

Where an external Minister's office contacts the Department, the Minister's office will be informed.

- **Cabinet matters**

All submissions for consideration by Cabinet are to be directed through the Minister. The Director General will sign all Cabinet Comments unless time constraints prevent this, in which case, the Deputy Director General/appropriate Executive Director/Commissioner will sign.

- **Executive Council matters**

All Executive Council matters shall be directed through the Minister by the Director General.

- **Resolution procedure for a breach of these arrangements**


In the first instance, the Minister or his Chief of Staff and the Director General will discuss the breach and decide on any further action.

- **Directions by staff of the Minister's office to departmental staff**

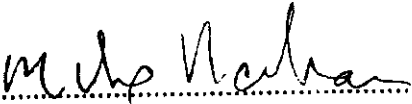
In circumstances where it appears desirable that a staff member from the Minister's office gives direction to a departmental officer about the manner in which he/she is to perform a function, an approach to the Department through the Ministerial Liaison Manager requesting the concurrence of the Director General will be sought in advance.

### **Ministerial Liaison Unit Contact**

Manager – Lynn Warton – 6551 1104 – [lynn.warton@finance.wa.gov.au](mailto:lynn.warton@finance.wa.gov.au)

  
.....  
Anne Nolan  
DIRECTOR GENERAL  
DEPARTMENT OF FINANCE

Date: 24/13.....

  
.....  
DR MIKE NAHAN MLA  
MINISTER FOR ENERGY; FINANCE

Date: 10-4-13.....