S74 AGREEMENT

COMMUNICATIONS PROTOCOL

For the office of the Minister for Defence Issues

and

The Department of Commerce

GENERAL

In accordance with section 74 of the Public Sector Management Act 1994, the following arrangements have been determined in relation to the manner and circumstances in which communications and dealings between the office of the Minister for Defence Issues and the employees of the Department of Commerce may occur.

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

COMMUNICATIONS FROM THE MINISTER'S OFFICE ON BEHALF OF THE MINISTER TO THE DEPARTMENT

1. Routine requests for information or research

1.1 Formal Requests (including speech and speech note requests)

Formal requests (including those requested by email) – that is, those which are allocated a ministerial reference number and therefore need to be recorded for record keeping purposes - should be directed through the department’s Ministerial Liaison Unit (MLU).

In circumstances where an urgent requirement exists, the request will be made to the Executive Director Labour Relations and Industry Development (ED LRID). In such circumstances, the ED LRID, or his or her designated officer¹, will be responsible for informing the Director General, through the MLU, of such requests.

1.2 Informal Requests

Informal requests – that is, those which are not allocated a ministerial reference number and which will not therefore form part of the official record keeping system - should be made (or emailed) to the Director General or the ED LRID in the first instance.

In the event that neither the Director General nor the ED LRID is available, a designated officer (as per the list at Attachment One) will respond from the relevant Division. In such circumstances, the designated officer will be responsible for informing the Director General and the ED LRID of such requests and subsequent action as soon as is practicable.

¹ A list of designated officers for the Department of Commerce is attached (Attachment One). With any changes to organisational structure or staffing an updated copy will be sent to the Minister’s office.
1.3 Arranging a meeting with departmental staff or requesting departmental staff attendance at a ministerial meeting

On matters of a strategic nature, requests for meetings and staff attendance will be made through the office of the Director General.

Arrangements for meetings and staff attendance involving matters of a general nature will be made through the ED LRID or their designated officer, with notification to the office of the Director General.

1.4 Matters relating to the drafting of legislation

For each piece of legislation, a drafting officer will be nominated to have primary carriage of the process, and this officer will keep the Director General informed of developments through the ED LRID.

1.5 Parliamentary Questions (With and Without Notice)

Request for responses to all Parliamentary Questions should be made through the MLU. Draft responses will be signed off by the Director General or in the Director General's absence, the ED LRID.

1.6 Requests for briefing notes

Requests for briefing notes should be made through the MLU. Where the request is urgent, the request should be made to the ED LRID or their designated officer. The ED LRID or her designated officer is responsible for informing the Director General (through the MLU) of the request and subsequent action as soon as is practicable.

1.7 Requests for draft responses

Routine ministerials should be allocated 10 working days, correspondence from Members of Parliament should be allocated five working days, correspondence from the Premier's office should be allocated three working days and requests for re-drafts should be allocated three working days to complete.

Urgent requests that require a shorter turnaround timeframe are to be negotiated between the Minister's office and MLU.

1.8 Requirements involving the Department in committing resources (beyond the normal functions and duties of the Department's officers)

All such requests should be directed to the Director General. If this is not possible, the request should be made to the ED LRID and the Director General must be informed as soon as is practicable. The request should be in writing.

COMMUNICATIONS FROM THE DEPARTMENT TO THE MINISTER'S OFFICE

2.1 General communications

2.1.1 Department of Commerce matters

All communications regarding matters pertaining to the whole of the department or corporate matters, for example budget issues, are to be made by the Director General.
2.1.2 Divisional general operational or correspondence matters

Communications regarding general operational or correspondence matters pertaining to an individual Division within the department are to be made by the Director General or ED LRID.

2.2 Non-routine communications

Normal and general communication will apply process per 2.1.1 (above). Non-routine communications should be directed through the Minister’s Chief of Staff or other officer nominated by the Minister or Chief of Staff.

2.3 Strategic policy communications

For all communications of a ‘strategic’ policy nature where the Department has provided a response, it should be specified whether the Director General or, in the absence of the Director General the ED LRID, has approved the response before it was sent from the department.

2.4 Media communications

Media officers within the department should communicate directly with the ministerial Media Officer. It is the responsibility of the departmental media officers to ensure the Director General is aware of such communication where necessary.

COMMUNICATIONS FROM THE DEPARTMENT TO THE OFFICE OF A MINISTER RESPONSIBLE FOR ANOTHER PORTFOLIO

3. Formal communications with another Ministerial office

All formal communications between the department and the office of another Minister are to be directed through the office of the Minister for Defence Issues.

The Minister or the Chief of Staff may, in specific circumstances, authorise direct contact with another Minister’s office.

CABINET MATTERS

4.1 Cabinet Submissions

4.1.1 Department of Commerce Cabinet Submissions

The Director General must endorse all Cabinet submissions developed on behalf of the Minister. If the Director General is unavailable, and the matter is urgent, the ED LRID may sign on the Director General’s behalf. In these circumstances, it is the responsibility of the ED LRID to inform the Director General, through the MLU, of the lodgement of the submission and provide a copy to the Director General.

4.1.2 Joint Cabinet Submissions

Where the department is developing a submission in conjunction with other agencies, interaction at a senior level without direct ministerial involvement is appropriate, although a high degree of discretion and confidentiality should be maintained. It is the responsibility of the department to ensure the relevant ministerial policy officer is aware of the development of such a submission.

All submissions for consideration by Cabinet must be directed through the office of the Minister for Defence Issues.
4.2 Transmittal of Cabinet Papers

All Cabinet papers between the Minister's office and the department are to be transmitted under secure confidential cover.

4.3 Cabinet referrals and comment sheets

All Cabinet referrals and comment sheets must be directed through the Director General via the MLU.

DIRECTIONS BY THE MINISTER AND INSTRUCTIONS BY THE MINISTER OR STAFF OF THE OFFICE OF THE MINISTER TO THE DEPARTMENT OF COMMERCE ON THE MANNER IN WHICH THEY ARE TO PERFORM THEIR FUNCTIONS

5.1 Direction by the Minister to the department

Where the Minister gives a formal direction to the Director General, the direction must be in writing and will be recorded in the department's Annual Report as required.

5.2 Instructions by the Minister or Staff of the office of the Minister to the department

In circumstances where it appears desirable that the Minister or staff in the office of the Minister gives instructions to an officer of the department on the manner in which they are to perform their duties, the concurrence of the Director General is to be sought before the instruction is issued. This requirement ensures the preservation of clear lines of accountability.

RESOLUTION PROCEDURE FOR A BREACH OF THE COMMUNICATIONS ARRANGEMENTS

6. Resolution Procedure

In the first instance, the Minister, or his Chief of Staff, and the Director General will discuss the breach in order to resolve any such complaint and decide on any further action.

SIGNED BY:

Hon Paul Papalia CSC MLA
MINISTER FOR DEFENCE ISSUES
Date: 10/4/17

Anne Driscoll
DIRECTOR GENERAL
DEPARTMENT OF COMMERCE
Date: 29/3/17
## Department of Commerce
### Authorised Designated Officers

<table>
<thead>
<tr>
<th>Officers authorised to communicate with Minister's office</th>
<th>Designated officers</th>
</tr>
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### Office of the Director General

<table>
<thead>
<tr>
<th>Anne Driscoll</th>
<th>Rebecca Watkins</th>
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<tr>
<td>Director General</td>
<td>Executive Assistant</td>
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<tr>
<th>Sarah Hazell</th>
<th>Fiona Myles</th>
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<tr>
<td>Manager Executive Services</td>
<td>Senior Ministerial Liaison Officer</td>
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<table>
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<tr>
<th>Melanie Smith</th>
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<tr>
<td>Ministerial Liaison Officer</td>
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### Labour Relations and Industry Development

<table>
<thead>
<tr>
<th>Kristin Berger</th>
<th>Robyn Clifton</th>
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<tr>
<td>Executive Director</td>
<td>Business Support Officer</td>
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<tr>
<th>John O'Hare</th>
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<tr>
<td>Director Industry</td>
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</table>

### Managers:

| Pru Ayling, Manager Industry Development Team 1; Peter Cox, Manager Industry Development Team 2 |
COMMUNICATION AGREEMENT
BETWEEN THE
OFFICE OF THE MINISTER FOR CITIZENSHIP AND MULTICULTURAL AFFAIRS
AND
THE DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES

1. BASIS FOR COMMUNICATION

This arrangement formalises the manner and circumstances in which communications are to be had between ministerial officers assisting the Minister and employees of the Department of Local Government and Communities (hereafter called the Department).

This arrangement should be read in conjunction with:

- Administrative Instruction 102 – Official Communications; and
- Public Sector Commissioner’s Circular 2009-10 – Communication Arrangements between Ministers and Agencies – s74 of the Public Sector Management Act 1994.

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 DEPARTMENT

- General Principles

All requests 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 of contact.

All communication to and from the Minister’s office must be logged and tracked by the Department’s Ministerial Liaison Coordinator (MLC).

All comments and advice from the Department must be endorsed by the Director General, and should be deemed non-authorised if not endorsed.
• **Directions to the Department**

Ministerial office staff may only direct officers of the Department in a manner consistent with Section 74(2) of the *Public Sector Management Act 1994* – i.e. with the agreement of the employing authority.

Any directions by the Minister to a specific Board of Management within the Department or Minister's portfolio will be given in accordance with the specific Act under which the Board was established.

• **Routine requests for information or research**

All matters should be directed through the Director General or staff in the Office of the Director General in the first instance.

Direct telephone or email contact with Departmental staff should not occur, except where urgent or specialist advice is required, in which case contact can be made with the Department's relevant Executive Director.

See Attachment 1 for details of approved officers.

In all cases, this contact must be followed up via email to the Director General, copying in the MLC (*ministerials@dlgc.wa.gov.au*).

• **Ministerials**

**Ministerial Correspondence**

Requests from the Minister's office for draft responses to ministerial correspondence should be sent to the Department via email to *ministerials@dlgc.wa.gov.au* or in hard copy.

Draft responses for the Minister's signature will be prepared by the Department and forwarded to the Minister's office for consideration via email or in hard copy.

A copy of the final correspondence, showing the date it was signed by the Minister, will be returned to the Department via email.

**Timeline:**

- Turnaround time for members of the general public – 10 working days following receipt.
- Turnaround time for Members of Parliament – 5 working days following receipt.
- Turnaround time for the Premier – 3 working days following receipt.
- Redrafts – 3 working days from receipt.
- Or as requested by the Minister's office.

**Briefing Notes**

Requests from the Minister's office for briefing notes should be sent via email to *ministerials@dlgc.wa.gov.au*.
Following approval by the Director General, briefing Notes will be returned to the requesting officer via email, and/or in hard copy if requested.

All briefing notes, whether specifically requested or prepared at the Department’s instigation, will be provided to the Minister’s office in the agreed format.

**Timeline:**
- As requested by the Minister’s office.

**Speech Notes**

Urgent requests for speech notes and event briefs will be sent to the Department via email to ministerials@dlgc.wa.gov.au. Speech notes and event briefs will be prepared by Departmental staff and emailed to the Minister’s Appointments Secretary in the agreed format following approval by the Director General.

**Timeline:**
- As requested by the Minister’s office.

**Parliamentary Questions**

Requests for draft responses to Parliamentary Questions will be emailed to ministerials@dlgc.wa.gov.au via the Parliamentary Questions System, with responses prepared and returned following approval by the Director General.

- **Media enquiries**

Requests for draft media responses are to be directed to the MLC in the first instance, though direct contact between the Minister’s Media Adviser and the Department’s Manager, Corporate Communications is allowed.

All draft responses are to be approved by the Director General then emailed to the Minister’s office.

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

All meeting requests must be referred to the Director General or the Director, Office of the Director General.

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

A drafting officer will be nominated for each piece of legislation and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the relevant Ministerial officer and Director General informed of developments.

- **Significant and/or contentious issues**

The Director General will ensure that the Minister is thoroughly informed of all significant and/or contentious issues, in particular any pending or likely adverse findings by regulatory bodies.
• **Requirements involving the Department in committing resources (beyond the normal functions and duties of the Department's officers)**

All such requests are to be directed to the Director General in writing.

### 3. DEPARTMENTAL COMMUNICATIONS TO THE MINISTERIAL OFFICE

**General Principles**

All communication to and from the Minister's office must be logged and tracked by the Department's Ministerial Liaison Coordinator (MLC).

All comments and advice from the Department must be endorsed by the Director General, and should be deemed non-authorised if not endorsed.

**Formal meetings with the Minister**

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

**Communications from Department to office of a Minister responsible for another portfolio**

With the exception of the Ministers relevant to the Department's other portfolio areas, contact with other Ministerial offices should be avoided where possible.

Enquiries related to the Multicultural Affairs portfolio should be directed through the Minister's office.

**Communications between the Department 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 Commonwealth Ministers, or by members of the Agency to a State or Commonwealth Minister's office, will be co-ordinated through the Minister's Policy Adviser.

**Cabinet matters**

All submissions for consideration by Cabinet must be directed through the Minister's office and approved by the Director General or other officer nominated by the Director General.

The formal timeframes required by Cabinet Services, and those required by the Minister's office are to be considered when preparing Cabinet documents.
• **Media**

Any media enquiries made directly to the Department should be discussed in the first instance with the Minister's Media Adviser.

Departmental responses must be approved by the Director General, and should be provided to the Minister's office for noting.

4. **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 any breach of this arrangement and decide on the appropriate action.

HON PAUL PAPALIA MLA  
MINISTER FOR CITIZENSHIP AND MULTICULTURAL AFFAIRS

JENNIFER MATTHEWS  
DIRECTOR GENERAL

Date: .............................  
Date: .............................
# Appendix 1

## DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jennifer Mathews</td>
<td>Director General</td>
<td>Extn: 21414</td>
<td><a href="mailto:jennifer.mathews@dlgc.wa.gov.au">jennifer.mathews@dlgc.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mob: 0438 670 411</td>
<td></td>
</tr>
<tr>
<td>Jacqueline Lay</td>
<td>Executive Assistant to</td>
<td>Extn: 21401</td>
<td><a href="mailto:jacqueline.lay@dlgc.wa.gov.au">jacqueline.lay@dlgc.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td>Jennifer Mathews</td>
<td></td>
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</tr>
<tr>
<td>Narrell Lethorn</td>
<td>Director, Office of the</td>
<td>Extn: 18605</td>
<td><a href="mailto:narrell.lethorn@dlgc.wa.gov.au">narrell.lethorn@dlgc.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td>Director General</td>
<td>Mob: 0421 585 987</td>
<td></td>
</tr>
<tr>
<td>Daevid Anderson</td>
<td>Manager, Ministerials and Strategic</td>
<td>Extn: 21465</td>
<td><a href="mailto:daevid.anderson@dlgc.wa.gov.au">daevid.anderson@dlgc.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td>Coordination</td>
<td>Mob: 0409 200 046</td>
<td></td>
</tr>
<tr>
<td>Claire Havard</td>
<td>Ministerial Liaison Coordinator</td>
<td>Extn: 21407</td>
<td><a href="mailto:claire.havard@dlgc.wa.gov.au">claire.havard@dlgc.wa.gov.au</a></td>
</tr>
<tr>
<td>Stephanie Reincastle</td>
<td>Strategy and Research Officer</td>
<td>Extn: 21432</td>
<td><a href="mailto:stephanie.reincastle@dlgc.wa.gov.au">stephanie.reincastle@dlgc.wa.gov.au</a></td>
</tr>
<tr>
<td>Rebecca Ball</td>
<td>Executive Director, Office of</td>
<td>Extn: 21683</td>
<td><a href="mailto:rebecca.ball@omi.wa.gov.au">rebecca.ball@omi.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td>Multicultural Interests</td>
<td>Mob: 0428 057 475</td>
<td></td>
</tr>
<tr>
<td>Kate Rowlands</td>
<td>Manager, Community Relations and</td>
<td>Extn: 21767</td>
<td><a href="mailto:kate.rowlands@omi.wa.gov.au">kate.rowlands@omi.wa.gov.au</a></td>
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<tr>
<td></td>
<td>Information</td>
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<tr>
<td>Connie Singh</td>
<td>Executive Assistant to</td>
<td>Extn: 21641</td>
<td><a href="mailto:connie.singh@omi.wa.gov.au">connie.singh@omi.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td>Rebecca Ball</td>
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ARRANGEMENTS FOR COMMUNICATIONS AND DEALINGS BETWEEN OFFICERS OF THE OFFICE OF THE MINISTER FOR TOURISM; RACING AND GAMING; SMALL BUSINESS; DEFENCE ISSUES; CITIZENSHIP AND MULTICULTURAL AFFAIRS AND OFFICERS OF THE DEPARTMENT OF RACING, GAMING AND LIQUOR

Communications from the Office of the Minister to the Department
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 Director General or nominated officers listed in Appendix 1.

- **Arranging a meeting with relevant Department officer and requesting their attendance**

  All matters of a strategic nature must be referred to the Director General or nominated officer listed in Appendix 1. For other matters, the appropriate delegated officer 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 Director General informed of developments.

- **Requests for briefing notes**

  All requests should be made through the Director General or nominated officers listed in Appendix 1. Wherever practicable, the relevant authorised departmental officer should sign off the briefing note.

- **Requests for draft responses**

  Routine ministerials should be allocated 10 working days, correspondence from Members of Parliament should be allocated 5 working days, correspondence from the Premier's office should be allocated 3 working days and requests for re-drafts should be allocated 3 working days to complete.

  Urgent requests that require a shorter turnaround timeframe are to be negotiated between the Minister's office and the Departmental nominated or delegated officers.
• Requirements involving the Department in committing resources (beyond the normal functions and duties of the Department’s officers)

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

❖ Communications from the Department 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 Department has provided a response, it should be specified whether the Director General or one of the nominated officers listed in Appendix 1 has actually seen the response before it was sent from the Department.

❖ Communications from the Department to the Office of a Minister responsible for another portfolio

All communications between the Department and the Office of a Minister responsible for another portfolio should be directed through the Office of the Minister for Racing and Gaming except where requested otherwise by the Office of the Minister for Racing and Gaming.

❖ Media queries and other communications

All portfolio media queries/issues should be directed to the Minister’s office that will then make a determination as to whether the Department, Minister or other areas of Government should respond.

All media communication should be between the Minister’s Media adviser and the Department’s nominated media/communications officer listed in Appendix 1 unless otherwise determined by the Director General or Chief of Staff.

Responses provided to the Minister’s office by the media officer will be assumed to have been approved by the Department unless otherwise indicated

❖ 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 the Chief of Staff and the Director General will discuss the breach and decide on any further action.
Department of Racing, Gaming and Liquor

Nominated Officers

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Direct Line &amp; Mobile</th>
<th>e-mail</th>
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<tbody>
<tr>
<td>Barry Sargeant</td>
<td>Director General</td>
<td></td>
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<tr>
<td>Michael Connolly</td>
<td>Deputy Director General</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lance Sgro</td>
<td>Director Corporate Governance</td>
<td></td>
<td></td>
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<tr>
<td>Mark Beecroft</td>
<td>Director Strategic Regulation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nicola Perry</td>
<td>Director Liquor and Gambling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gary McHugh</td>
<td>Media and Communications Coordinator</td>
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</tbody>
</table>
Directions by officers of the Office of the Minister, to officers of the Department, by the Minister, on the manner in which they are to perform their duties

In circumstances where it appears desirable that the Minister's officers give direction to an officer of the Department on the manner in which they are to perform their functions, the concurrence of the Director General should be sought.

Hon Paul Papalia CSC, MLA
Minister for Racing and Gaming
Date: 10/4/2017

Barry A Sargeant
Director General
Department of Racing, Gaming and Liquor
Date: 27/03/2017
ARRANGEMENTS FOR COMMUNICATIONS AND DEALINGS BETWEEN STAFF OF THE OFFICE OF THE MINISTER FOR SMALL BUSINESS AND STAFF OF THE SMALL BUSINESS DEVELOPMENT CORPORATION (THE AGENCY)

The Small Business Development Corporation is an independent statutory authority established under the Small Business Development Corporation Act 1983. The Board as the accountable authority is the governing body of the Agency. Members of the Board are appointed by the Minister for Small Business.

While most communication occurs directly between the Minister's Office and the Agency, should the Minister wish to communicate with the Board, this can be done via the Chair or the Small Business Commissioner who is an ex-officio member of the Board.

Communications from the Office of the Minister to the Agency

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.

All requests should use the established protocols, channels and templates.

- **Routine requests for information or research**

  These will normally be directed through the Small Business Commissioner or a nominated officer.

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

  All matters of a strategic nature must be referred to the Small Business Commissioner or a nominated officer. For other matters, the appropriate delegated staff may be approached directly.

- **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 Small Business Commissioner informed of developments.
• **Requests for briefing notes**

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

• **Requests for draft responses**

Routine ministerial requests should be allocated 10 working days, correspondence from Members of Parliament should be allocated 5 working days, correspondence from the Premier’s office should be allocated 3 working days and requests for re-drafts should be allocated 3 working days to complete.

Urgent requests that require a shorter turnaround timeframe are to be negotiated between the Minister’s office and the nominated agency officers.

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

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

❖ **Communications from the Agency to the Office of the Minister**

Generally, communication should occur through the Small Business Commissioner or nominated officer.

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 Agency has provided a response, it should be specified whether the Small Business Commissioner or nominated officer has approved the response before it was sent from the Agency.
• Communications from the Agency to the Office of a Minister responsible for another portfolio

The Office of the Minister is to be informed of such communications where the Small Business Commissioner 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 Small Business Commissioner will discuss the breach and decide on any further action.

• Directions by staff of the Office of the Minister, to staff of the Agency, on behalf of the Minister, on the manner in which they are to perform their duties

Staff of the Office of the Minister should not, otherwise than with the agreement of the Small Business Commissioner, direct an employee of the Agency in relation to the manner in which that employee is to perform their duties.

Hon Paul Papalia CSC MLA
Minister for Small Business

Date: 10/4/17

David Eaton
Small Business Commissioner
Small Business Development Corporation

27 March 2017
Agreement for communications and dealings between the Minister for Tourism, Office of the Minister for Tourism and Tourism Western Australia

The Parties:

HON PAUL PAPALIA CSC MLA
MINISTER FOR TOURISM

Date 14/6/2017

and

Peter Prendiville
CHAIRMAN
On Behalf Of Tourism Western Australia

Date 13/6/2017

Gwyn Dolphin
CHIEF EXECUTIVE OFFICER

Date 14/6/2017

The Western Australian Tourism Commission (WATC) operating as Tourism Western Australia (Tourism WA) is the State Government agency that promotes a sustainable tourism industry by marketing the State as an attractive destination; developing, attracting and promoting major events; and supporting significant tourism infrastructure development.

In accordance with the Western Australian Tourism Commission Act 1983 a Board of Commissioners forms the governing body with authority to exercise the powers and perform the functions of the agency under the Western Australian Tourism Commission Act 1983, and the Board is the accountable authority of Tourism WA.

Tourism WA is a Statutory Authority and classed under the Public Sector Management Act 1994 as a Senior Executive Service (SES) agency.
1. **Core Principles**

An essential principle of the Westminster system of Parliament is the separation of powers and clear lines of accountability and responsibility. This Communications Agreement supports this premise as well as being a requirement of the *Public Sector Management Act 1994*.

This Communications Agreement describes roles and processes to be followed by both the Office of the Minister for Tourism (Minister's Office) and Tourism WA. The key elements and considerations include;

- All written communication between Tourism WA and the Minister's Office must be logged and tracked by the Tourism WA Ministerial Liaison Unit (MLU).
- All written comments and advice from Tourism WA must be signed by the Chief Executive Officer (CEO) or the CEO's delegate.
- All communication between the Minister's Office and Tourism WA should under normal circumstances be between designated individuals as per the table on the following page, however, if a matter is urgent and verbal 'specialist' advice is required, an Executive Director of the relevant division may be contacted.
- In responding to urgent requests from the Minister's Office, any comments or information provided is deemed non-authorised unless approved by the CEO or CEO's delegate.

2. **Legislative framework**

This agreement is for the purpose of establishing the framework for communications between the Minister for Tourism, Minister's Office and Tourism WA, and is made pursuant to Section 74 of the *Public Sector Management Act 1994*.

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

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.

3. **Overview**

Interaction between the Minister's Office and Tourism WA is anticipated to be frequent. These guidelines are provided to assist both parties to maintain cooperative working relationships. Notwithstanding any arrangement set out below, Minister's Office staff and Tourism WA officers will not interfere with each other in the exercise of their obligations and responsibilities.
These guidelines should be applied giving full consideration to the needs of a particular situation or issue. Officers from both parties should at all times adhere to providing a quality service rather than the precise and detailed wording of any particular clause. In particular, there needs to be flexibility when a response or advice is urgently sought.

As a general principle, requests made by the Minister’s Office for information or for action to be taken by Tourism WA should be via email using the agreed protocols. However, it is recognised that a verbal approach is acceptable when there are time constraints. Matters of a strategic nature should be by email and addressed to the CEO.

The main communication relationship between the Minister’s Office and Tourism WA staff should be as follows, although it is understood that Executive Directors may also be contacted from time to time, depending on the nature of the enquiry, availability of the main contact and degree of urgency:

<table>
<thead>
<tr>
<th>Office of the Minister for Tourism</th>
<th>Tourism Western Australia</th>
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</thead>
<tbody>
<tr>
<td>Minister for Tourism</td>
<td>Chairman</td>
</tr>
<tr>
<td></td>
<td>Chief Executive Officer</td>
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<tr>
<td></td>
<td>Executive Director Corporate and Business Services (CBS)</td>
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<tr>
<td></td>
<td>Executive Services Manager (Manager of MLU)</td>
</tr>
<tr>
<td>Chief of Staff</td>
<td>Chief Executive Officer</td>
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<tr>
<td></td>
<td>Executive Director CBS</td>
</tr>
<tr>
<td></td>
<td>Executive Services Manager (Manager of MLU)</td>
</tr>
<tr>
<td>Principal Policy Advisor Tourism</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Policy Adviser Tourism</td>
<td>Executive Director CBS</td>
</tr>
<tr>
<td></td>
<td>Executive Services Manager (Manager of MLU)</td>
</tr>
<tr>
<td></td>
<td>Ministerial Liaison Officers</td>
</tr>
<tr>
<td>Media Advisers</td>
<td>Director Corporate Communications</td>
</tr>
</tbody>
</table>

Responses will be provided in an agreed timeframe.

The CEO takes responsibility for all advice provided and must at all times be aware of issues being raised.

4. Regular Minister For Tourism Meetings

A regular meeting will be held between the Minister for Tourism and Tourism WA that will include at a minimum the CEO/or CEO’s delegate. The Chairman of the Board of Commissioners for Tourism WA or the Chairman’s nominee, will be invited to attend the regular meetings. An agenda will be prepared by Tourism WA and provided to the Minister’s Office with background information on each item to be discussed, two days prior to the meeting.
5. Routine Communication

Routine communication initiated by the Minister for Tourism or his nominee, or initiated by Tourism WA, will be directed to the individuals outlined above.

Written responses will be provided via email denoted as authorised by the CEO or in the CEO’s absence or unavailability, the CEO’s delegate. Verbal responses will be provided for urgent matters.

6. Strategic Communication

Strategic issues communication initiated by the Minister for Tourism or his nominee will in the first instance be directed via email to the CEO. Where time is an issue verbal communication may be used. Once the issue has been discussed and a course of action agreed, the CEO will delegate to the most relevant officer in Tourism WA. If the CEO is unavailable strategic communication may be directed to the Executive Director Corporate and Business Services.

Strategic issues communication initiated by Tourism WA will be raised in email or formal briefing note using agreed processes.

7. Communication relating to the drafting of legislation

Communication by the Minister for Tourism relating to the drafting of legislation will be communicated by email to the CEO. Tourism WA will follow the guidelines and procedures provided by the Parliamentary Counsel’s Office Getting Legislation Drafted and Enacted.

8. Communications relating to agency resources (beyond the normal function and duties of the agency’s staff)

Communications relating to Tourism WA’s resources (as described above) shall only be directed from a senior officer in the Minister’s Office to the CEO, preferably by email if time permits. If the CEO is unavailable and the matter is urgent, an approach may be made to the relevant Executive Director or the Executive Services Manager.

Communication relating to the above initiated by Tourism WA will be raised with relevant Minister’s Office staff by email using agreed processes.

9. Significant and/or Contentious Issues

The CEO will ensure that the Minister for Tourism is thoroughly informed about all significant and/or contentious issues and, in particular, about any pending or likely adverse findings by regulatory bodies.

10. Communication between the agency and other Ministerial Offices and Members of Parliament

All communication between Tourism WA and other portfolio Ministers’ or their staff shall be directed through the Minister’s Office.
All requests and communication between Tourism WA and other Members of Parliament, including the Opposition, shall be directed through the Minister’s Office in the first instance. Tourism WA can only provide non-Government Members of Parliament with factual publicly available information. Discussions with Tourism WA staff are not for the purposes of debating the merits of Government policy.

Consistent with the *Freedom of Information Act 1992*, personal information about a third party will not be given to a Member of Parliament without Tourism WA advising and consulting with that party. Where appropriate, Members of Parliament should be advised of the provisions of the Act, in particular, s8 and s105.

All approaches received by Tourism WA from other State or Federal Ministers or Parliamentarians, or made by the agency to a State or Federal Minister’s Office, shall be directed through the Minister’s Office in the first instance.

11. **Communication relating to Cabinet and Executive Council**

Communication relating to Cabinet and Executive Council initiated by the Minister for Tourism will be directed to the CEO (or Executive Services Manager), preferably by email if time permits. If the CEO is unavailable and the matter is urgent, an approach may be made to the relevant Executive Director or the Executive Services Manager. If the matter is dealt with in the absence of the CEO, the CEO must be subsequently notified.

Communication relating to the above initiated by Tourism WA will be raised by email using the agreed processes with the Minister for Tourism.

12. **Communication relating to briefing notes**

Communications relating to briefing notes (written and/or verbal) initiated by the Minister for Tourism will be directed to the CEO giving appropriate notice for a response. All correspondence in relation to briefing notes must be via Tourism WA’s MLU.

13. **Communication relating to Parliamentary Questions**

Requests for draft responses to Parliamentary Questions (PQs) will be forwarded to Tourism WA’s MLU by email via the Parliamentary Questions System, with responses prepared and returned following the CEO’s approval. All responses will include the name and contact number of the drafting officer who can advise on any proposed changes or provide further urgent information/clarification if needed.

PQs without notice will be treated as urgent by Tourism WA and an answer provided in the requested timeframe, normally in a matter of hours.

PQs without notice (when some notice is given) will be treated as urgent by Tourism WA and an answer provided in the requested timeframe, normally the same or next day.

PQs with notice will be treated as highly important by Tourism WA and will be answered as a matter of priority, within the timeframes indicated, normally 10 working days.
14. Media queries and other communications

The Minister’s Media Adviser shall liaise directly with Tourism WA’s Director Corporate Communications in regard to media enquiries. Any response by the Director Corporate Communications will first be approved by the relevant Executive Director and the CEO.

The Director Corporate Communications will inform, and where appropriate consult, the Minister’s Media Adviser relating to responses to media enquiries made to Tourism WA.

Any questions regarding Government policy or funding will be referred to the Minister’s Media Adviser. In the event that Tourism WA wishes to respond to these questions, the Chairman or CEO must consult with the Minister for Tourism or the Chief of Staff, respectively, beforehand.

The Director Corporate Communications will liaise with the Minister’s Media Adviser regarding announcements that could involve the Minister for Tourism and/or other Ministers.

15. Correspondence Templates

The Minister’s Office will provide Tourism WA with templates for briefing notes and speech notes, including advice in relation to format, style and presentation.

If a document is not considered acceptable it shall be returned to Tourism WA’s MLU, annotated accordingly. If urgent, the Chief of Staff or Policy Adviser Tourism will contact the agency directly to arrange for the necessary changes.

The following timelines will apply for Ministerials with turnaround times being working days following receipt:

<table>
<thead>
<tr>
<th>Type of Ministerial Request</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>For and on behalf of the Premier</td>
<td>3 working days</td>
</tr>
<tr>
<td>For and on behalf of a WA Member of Parliament</td>
<td>5 working days</td>
</tr>
<tr>
<td>For and on behalf of the Minister for Tourism or Governor</td>
<td>10 working days</td>
</tr>
<tr>
<td>For and on behalf of a member of public</td>
<td>10 working days</td>
</tr>
<tr>
<td>Parliamentary Questions On Notice</td>
<td>10 working days</td>
</tr>
<tr>
<td>Requests for re-drafts</td>
<td>3 working days</td>
</tr>
<tr>
<td>Parliamentary Questions Without Notice</td>
<td>as requested by the Minister’s Office</td>
</tr>
<tr>
<td>Briefing notes</td>
<td>as requested by the Minister’s Office</td>
</tr>
<tr>
<td>Speech notes</td>
<td>as requested by the Minister’s Office</td>
</tr>
<tr>
<td>Media inquiries</td>
<td>as requested by the Minister’s Media Adviser</td>
</tr>
</tbody>
</table>
Urgent requests that require a shorter turnaround timeframe are to be negotiated between the Minister's office and the nominated agency officers.

Deadline extensions should be sought as soon as possible and new deadlines will be negotiated by Tourism WA's MLU with Minister's Office staff on a case by case basis.

To facilitate timeliness, Ministerials will be passed between the Minister's Office and Tourism WA electronically via email. Tourism WA can send and receive large files from third parties via the secure FTP system. Should documents be too large to email as an attachment FTP details will be provided by Tourism WA.

The Tourism WA MLU will request a 70-number from the Minister's Office and despatch the relevant correspondence within 48 hours.

16. Maintenance of Records

Tourism WA's MLU will monitor and record all requests and responses using the agency's record-keeping system, HP Records Manager.

17. Form and content

From time to time, as appropriate, the Minister's Office will provide advice to Tourism WA on the "form and content" of written correspondence prepared for the Minister for Tourism to facilitate effective communication.

18. Resolution of difficulties with these procedures

Should any difficulties arise with these arrangements, the Chief of Staff or his nominee and the CEO or his nominee will discuss and decide on any appropriate action; if necessary recommending changes to policy and practice.

19. Placements/Secondments to the Office of the Minister for Tourism

An agency employee or officer placed or seconded in the Minister's Office to provide an agency viewpoint on a range of issues is, for the period of the secondment/placement, under the direction of the Minister for Tourism.

20. Alteration of agreement

This agreement may be altered by agreement between the parties.