Instructor’s Checklist for Departmental Officers

Bills and Amendments in Consideration in Detail

To assist OQPC in preparing your legislation, your drafting instructions should include all of the information mentioned in this checklist. If your instructions do not address an issue mentioned, it would be appreciated if you could complete the relevant part of this form and return it to OQPC as soon as possible.

|  |  |
| --- | --- |
| Authority to prepare | |
| Has Cabinet given authority to prepare the draft legislation? | Yes  No |
| If the Premier has given approval to draft, please provide a copy of the written approval. | Copy attached  NA |
| If authority to draft is still pending, please advise when approval is anticipated. |  |
| Contact details | |
| Please provide the name and up-to-date contact details of all instructors. If there is more than 1 instructor, please advise which instructor is coordinating the project.  *To speed up communications, it is helpful to include your contact details on all emails you send to OQPC.* | Name:  Phone:  Email: |
| Availability | |
| Please advise if any instructors work part-time or there are other times they may be uncontactable (e.g. because they will be on leave). |  |
| Alternative contacts | |
| Please advise the name and contact details of another officer we can contact about urgent matters in the event the instructors are unavailable. | Name:  Phone:  Email: |
| Commencement information | |
| When will the provisions of the draft legislation commence? | On assent  By proclamation  On [insert date]  If a combination of the above, please provide details: |
| Timeframes | |
| When does the department intend to seek authority to introduce the draft legislation? |  |
| When is the draft legislation proposed to be introduced into Parliament? |  |
| When is a final version of the draft legislation required for your department’s internal approval processes? |  |
| Consultation versions | |
| Do you require a consultation version of the draft legislation? | Yes  No |
| If a consultation version is required: |  |
| * Will you be consulting with external stakeholders and/or the courts, or within government only? | External stakeholders and/or courts  Within government only |
| * When is the consultation proposed to be carried out? |  |
| * When is the consultation version required for your department’s internal approval processes? |  |
| * When do you intend to provide further instructions following consultation? |  |
| Relevant background information | |
| Have you provided copies of, or links to, all court decisions, reports, laws of other jurisdictions, legal advices and other information and documents referred to in the drafting instructions or which provide important background information to the drafting instructions?  *Please note that legal advices and any other information given to OQPC are subject to legal professional privilege (see the Legislative Standards Act 1992, section 9A(2)).* | Yes |
| Fundamental legislative principles and human rights | |
| Is the draft legislation potentially inconsistent with fundamental legislative principles or human rights? | Yes  No  If yes, please ensure this has been addressed in your drafting instructions. |
| Consequential amendments | |
| Are any consequential amendments required as a result of the draft legislation? | Yes  No  If yes, please ensure your drafting instructions include instructions about these amendments. |
| Transitional issues | |
| Does the draft legislation raise any transitional issues? | Yes  No  If yes, please ensure this has been addressed in your drafting instructions. |
| Other important information | |
| Does the draft legislation involve an appropriation from the consolidated fund? | Yes  No |
| Is the draft legislation intended to have extraterritorial application? | Yes  No |
| Is the draft legislation intended to bind the State? | Yes  No |