

Administration of Premier's Circulars

PURPOSE

Premier's Circulars are used to communicate matters of whole of Government policy and issues of strategic importance to the State. Circulars are issued to highlight a strategic change to Government policy, while an alternative mechanism is developed or where alternative mechanisms cannot achieve the desired outcome.

AUTHORITY

Premier's Circulars that relate to policies of the Government of the day and whole of State legislative/policy requirements are issued by the Premier in his or her capacity as the head of the Executive Government of Western Australia.

It is the responsibility of Director Generals (DG) or Chief Executive Officers (CEO) to remain informed of Circular content, comply with Circular directions and disseminate information to relevant staff.

APPLICATION

Premier's Circulars should apply to all entities covered by the *Public Sector Management Act 1994*, that is all entities created under statute for a public purpose except for those listed in Schedule 1 to the Act. Departments and statutory authorities, both SES and non-SES, are included but government enterprises, courts and tribunals and others, such as universities are excluded.

If it is intended that a particular Premier's Circular should apply to one or more of the entities listed in Schedule 1, then the relevant Minister/s may be able to issue the policy as a directive or instruction. If this is the case, the originating agency or entity will need to ensure that:

- The Schedule 1 entity (or entities) to which the Circular is intended to apply is constituted under an Act which provides the relevant Minister/s with the power to give appropriate directions or instruction;
- the content of the Circular falls within the scope of matters on which the Minister/s can direct or instruct the entity or entities;
- Cabinet approval is obtained for Circular content to be applicable to the entity or entities; and
- arrangements are made for the Circular to be forwarded to the relevant Minister/s for issuing as a direction or instruction.

POSSIBLE EXEMPTIONS

A public sector entity may consider that it has a valid case for seeking an exemption from a particular Premier's Circular. For example, there may be provisions in the enabling legislation of the agency that conflict with the content of a specific Circular. In such instances the agency concerned should contact the Department of the Premier and Cabinet (DPC), who will examine the issue in conjunction with the agency sponsoring the Circular and provide a recommendation to the affected agency, or if necessary to the relevant Minister.

ADMINISTRATION

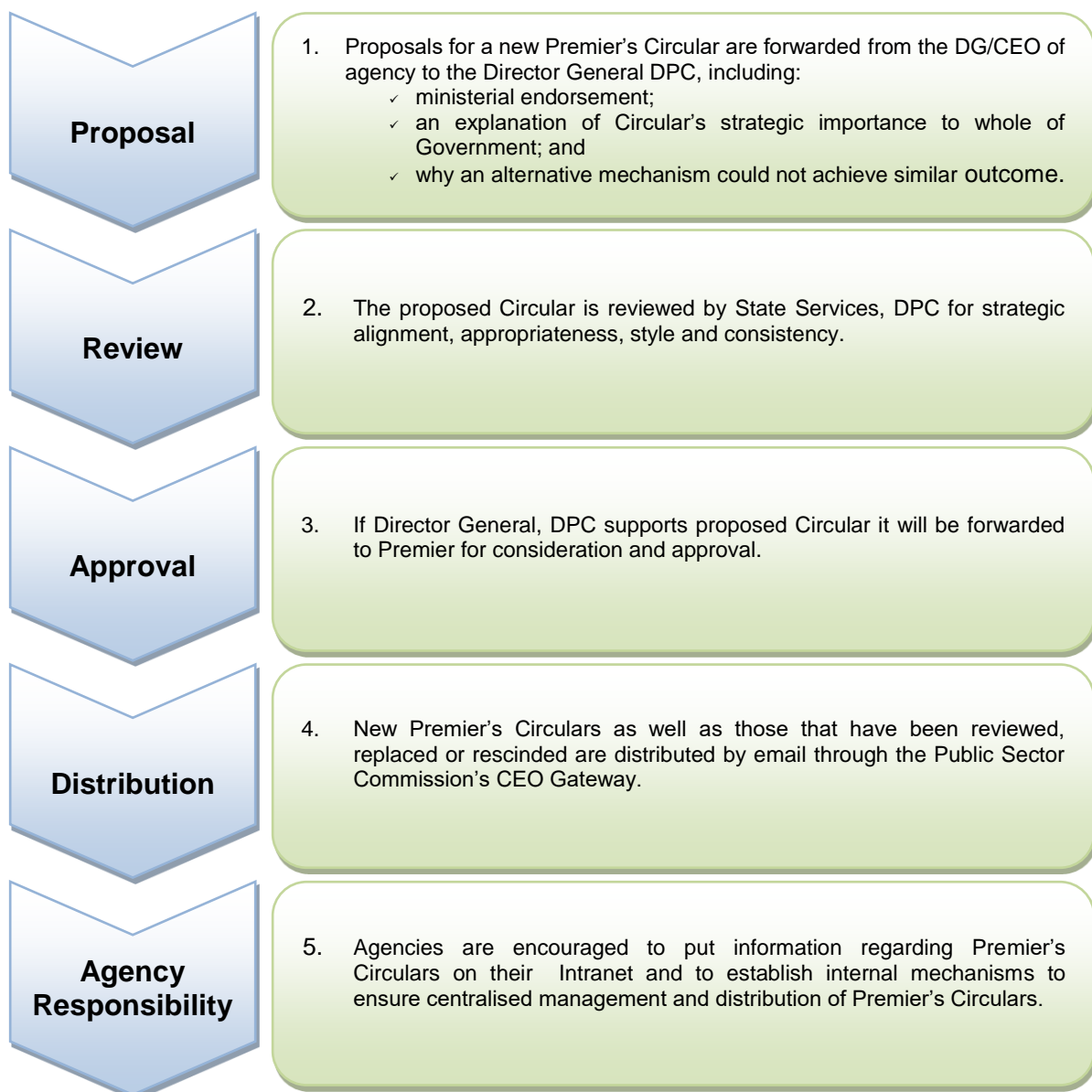
- DPC is responsible for the management and administration of Premier's Circulars. Prior to drafting a new Circular, agencies should contact the Department via premierscirculars@dpc.wa.gov.au for advice regarding whether or not a Premier's Circular would be an appropriate means of communicating the information.

- As the responsibility for monitoring compliance with Circulars resides with the DG or CEO of the originating agency, consideration should be given on how compliance will be monitored. Agencies should also consider the impact the requirements of the Circular may have on other agencies and entities.
- A draft Circular should not be attached to a Cabinet Submission. A Cabinet Submission can indicate that a Premier's Circular is proposed to be issued and whether it applies to any Schedule 1 agencies. The Circular can be developed concurrently with the drafting of a Cabinet Submission, and with the advice of DPC.

FORMAT FOR NEW PREMIER'S CIRCULARS

- [Premier's Circulars](#) and the template format are available on the Department's website.
- Circular content must be related to matters of cross-government policy and process and issues of strategic importance to the State. However, Circulars may also include other matters warranting cross-government attention, such as announcements of significant events. Circulars that do not meet these criteria will not be supported by the Director General, DPC.

PROCESS AND DISTRIBUTION FOR NEW PREMIER'S CIRCULARS



- All proposed Circulars must include an automatic expiry date of either the completion date of an associated Government reform, or 30th June of the next State election year, whichever is earlier.
- Circulars may be rescinded by the Premier at any time, on advice from the DG/CEO of the originating department/agency and the Director General, DPC.
- Agencies will be notified by DPC at appropriate time that unless formal justification is received including endorsement from the DG/CEO and minister, the Circular will be automatically rescinded by 30 June of the next State General Election year.

FURTHER ENQUIRIES

Any queries about these procedures should be directed to premierscirculards@dpc.wa.gov.au