Presentation in September 2006 by Dr Adam Graycar, Executive Director, Cabinet Office, Department of the Premier and Cabinet

"Role of Governments, Cabinet and the Public Service"

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The role of Governments, Cabinet and the Public Service

Dr Adam Graycar
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Department of the Premier and Cabinet

September 2006
Snapshot of the SA Government

- The government manages the State Budget of over $10 billion
- There are 15 Ministers sharing 55 portfolios
- 13 main Departments
- 89,979 public sector employees as at June 2005 which represented 12.1% of persons employed in SA

Department of the Premier and Cabinet
"In the ordinary course of administering a recognised part of the government of the state..."

- direct & control statutory bodies & public corporations
- Obtain, retain and publish information
- Direct and control statutory bodies and public corporations
- Plan and deliver services
- Make contracts
- Make payments
- Buy and sell goods
- Lease land
- Build works
The role of Ministers

- Premier assigns responsibilities
- Responsible to Parliament for portfolio areas assigned by the Premier
The Role of Cabinet

- What is Cabinet?
  
  - Cabinet is the central decision making body of government
  - Cabinet considers the political, policy and administrative implications of a proposal and settles a government position

Department of the Premier and Cabinet
Ministers must bring some decisions to Cabinet

- Strategic policy
- Legislative
- Inter-governmental
- Financial
- Administrative
Cabinet’s Workload

- In 2005 there were:
  - 49 regular Cabinet meetings
  - 70 special Cabinet meetings
  - 902 Cabinet submissions
  - 583 sub-committee matters
  - 737 Cabinet notes
  - 66 Executive Council meetings
  - 1010 items
How does Cabinet work?

- Cabinet submissions
- Cabinet sub-committee submissions
- Cabinet notes
Decision

- Cabinet’s decision is the pivot of the public policy cycle

- Of the vast range of policy development activity being carried out across government, around 12 are presented to Cabinet each week for discussion and a decision.
The Role of the Public Service

- Public servants are part of the executive arm of government

- The work of public servants is driven by the policy priorities of the government of the day

Department of the Premier and Cabinet
Parliamentary processes

Responsible Government: ‘government by representatives of the people who are chosen by the people.’
Parliamentary processes  The legislative process

Political Parties
Members of Parliament
Ministerial Advisers
Public Service

Idea

Political Parties
Discussion
Party Policy

Government
Opposition
Independent

Individuals
Pressure Groups
Media
Public opinion

Public Service
Necessary administrative amendments

Parliamentary Counsel
Prepares Draft Bill

Minister

Cabinet
Read submission
Approve in principle
Draft Bill approved by
Minister's Bill Committee
Final cabinet approval

Preparation of Draft Bill

Party Approval
<table>
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<th>Initiative</th>
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<tr>
<td>- Normal Bill: Minister on Notice.</td>
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<tr>
<td>- Taxing Bill: Minister without Notice.</td>
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<tr>
<td>- Appropriation Bill: Minister on receipt of message from the Governor.</td>
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<tr>
<td>- Private Member’s Bill: Government Backbencher, Opposition member, Independent member; such Bills cannot include an Appropriation provision.</td>
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**First Reading**
1. Formal motion to bring in Bill - a request of, and approval from, the House to proceed.
2. Order to print - the authority of the House to print the Bill.
3. Listed for second Reading on a future day, the exception being Appropriation or Supply Bills which may be read on the same day.

**Second Reading**
4. Minister’s (or Private Member’s) Second Reading speech: copies of the Bill, usually with explanatory notes, circulated to all members; if Bill involves expenditure from the Consolidated Fund, a message from the Governor is required.
5. Bill debated in principle - that is, the general prepositions of the Bill, but not the detail in the clauses, are debated.

**Committee Stage** (optional, may be dispensed with if the House unanimously agrees).
- Bill examined in detail, clause by clause; relevant amendments are made where the Committee decides. A Committee may comprise all members of the House (a Committee of the whole) or some designated number (a Select Committee); an appointed chairman presides over each Committee.

**Report to the House**
7. Report from the Committee considered and adopted. The Bill may be recommitted.

**Third Reading**
8. Further debate, if necessary, on the Bill as reported.
BILL PASSES HOUSE

Second House

Procedure
A similar scrutiny procedure to that used in the House of origin is adopted. If a Bill passes with amendments, those amendments are transmitted by message to the House of origin, and further messages flow between the two Houses accepting, rejecting or proposing modifications to the amendments. Each House must agree to any amendments in an identical form before a Bill can become law.

Approval
When a Bill has passed both Houses and any amendments have been agreed to by each, it will be prepared for Royal Assent.

Clerk of Parliaments
Certificates Bill

Governor
Royal Assent

Bill returned to House of origin for amendment (very rare)

Enactment
On day specified in the Act
OR
If Act so provides on day proclaimed by the Governor
OR
If not otherwise stated, when givenRoyal Assent

LAW NOW APPLIES
More significant Acts include:

Natural Resources Management Act 2004
River Murray Act 2003
Fair Work Act 1994 (major amendments in 2005)
Criminal Law Consolidation (Abolition of Time Limit for Prosecution of Certain Offences) Amendment Act 2003
Commission of Enquiry (Children in State Care) 2004

Less significant Acts include:

Dried Fruits Repeal Act 2003
Dog Fence (Miscellaneous) Amendment Act 2005
Parliamentary processes

- Controls on the Executive
  - Legislation
  - Appropriation
  - Questions (on and without notice)
  - Annual reports
  - Parliamentary Committees
  - Ombudsman
  - Auditor-General

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