

What is Cabinet?

Cabinet is the central decision making body of the South Australian Government. It comprises the Ministers of government and focuses on issues of fundamental importance to the State. Its decisions are put into effect by Ministers whose actions are authorised under particular Acts of Parliament or other legal instruments, such as proclamations, that have been approved by the Governor in Executive Council.

What are Cabinet Documents?

Cabinet documents include Cabinet submissions, Cabinet notes, and Cabinet agendas.

A Cabinet submission is prepared by a State Government agency to seek a decision of Cabinet on a significant policy change, project, reform or appointment. A Cabinet note is also prepared by a State Government agency and provides information for Cabinet to note where no decision is required.

Cabinet submissions and Cabinet notes are listed on a Cabinet agenda for a specific Cabinet meeting.

How can I access Cabinet Documents?

Cabinet documents older than 20 years can be sought through freedom of information (FOI) by applying directly to the relevant agency using the standard application form, which is available at www.archives.sa.gov.au/foi/forms.html or using the online FOI application form at www.sa.gov.au/foi.

Older Cabinet documents are transferred to the custody of State Records by the agency that created them. State Records holds index cards that describe Cabinet submissions. Depending on the age of the Cabinet document, it may have an open access status meaning you will be able to access it at State Records' Research Centre. If the Cabinet submission is not open, State Records staff will be able to assist you with advice or referral to the appropriate agency.

Can I access Cabinet documents that are less than 20 years old?

On 1 October 2009, the Government introduced a policy to allow you to seek access to Cabinet documents that are between 10 and 20 years old. This policy is called the *Disclosure of Cabinet Documents 10 Years or Older* policy.

Other exemptions under the *Freedom of Information Act 1991* will still apply to ensure sensitive information is not released that could put at risk a person's privacy, national security, trade secrets or law enforcement. This may result in only part of a document being released or, where appropriate, access being denied.

The Department of the Premier and Cabinet (DPC) has been assigned the responsibility for processing applications made under FOI and the *Disclosure of Cabinet Documents 10 Years or Older* policy.

What kind of documents does this policy cover?

The policy only applies to Cabinet submissions, Cabinet notes, and Cabinet agendas between 10 and 20 years old that were submitted to Cabinet.

How do I apply for Cabinet documents under the policy?

You can use the specific FOI Application form entitled *FOI Application for Access to Cabinet Documents 10 years or Older* available from www.archives.sa.gov.au or use the online FOI application form at www.sa.gov.au/foi.

To assist you to identify the documents you wish to see, DPC has provided lists of Cabinet submissions that were made to Cabinet between 10 and 20 years ago. Personal information has been removed from the lists in order to protect individual privacy.

The lists are available at the Government's website www.sa.gov.au, or can be viewed online at the State Records Research Centre. If you don't have internet access you can also contact the DPC FOI Unit on (08) 8429 5493 for assistance.

There is no fee for FOI applications made to DPC under the *Disclosure of Cabinet Documents 10 Years or Older* policy.

Completed application forms can be either emailed to dpcfoiunit@dpc.sa.gov.au or posted to:

The Freedom of Information Officer
FOI Unit
Department of the Premier and Cabinet
GPO Box 2343, Adelaide SA 5001

What can I expect?

The Accredited FOI Officer in DPC will deal with your application. When your application has been processed, the Accredited FOI Officer will notify you of the determination and provide the documents you requested based on that determination. If access has been refused you will be informed of the reasons why and advised of your review rights.

How long will it take?

An FOI application must be dealt with within 30 calendar days of it being received. If the document you have requested is large and considerable consultation with third parties is required, the Accredited FOI Officer may need to seek an extension of time to deal with your application. If this is the case you will be advised within 20 calendar days of the agency receiving your application that the time limit has been extended.

If the timeframe has not been extended and you do not receive a determination within 30 calendar days, the legislation deems that your application has been refused and you are entitled to lodge an application for review.

Other Useful Documents

The *FOI: Your Right to Know* brochure is also available from the State Records website.

Premier and Cabinet Circular No 31 (PC031) *Disclosure of Cabinet Documents 10 Years or Older* is available from the Department of the Premier and Cabinet website
www.dpc.sa.gov.au

Contact Information

Department of the Premier and Cabinet
FOI Unit
GPO Box 2343, Adelaide SA 5001
Tel: (08) 8429 5493
Email: DPCFOIUnit@dpc.sa.gov.au

State Records of South Australia
Phone: (08) 8204 8786
Email: foi@sa.gov.au
Website: www.archives.sa.gov.au



Government of South Australia

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Accessing records of the Cabinet of the South Australian Government



Government of South Australia
