

Premier

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Mr Nick McKim MP
Leader
Tasmanian Greens
162 Macquarie Street
HOBART TAS 7000

Delivered on
15 APR 2010

Dear Mr McKim

Nick,

Ministerial Responsibilities

I am very pleased to invite you to be a Minister in my Government.

Such an appointment is a privilege that carries with it the obligation to act at all times with integrity and awareness of the expectation of the Tasmanian community that the highest standards of conduct and professionalism need to be observed.

For the record, I believe the discussions we have held this week have not only built new levels of trust but have also added to our shared thinking about how stability can be achieved in the Parliament over the next four years. I also recognise that the efforts we have contributed here, whatever the outcome, will stand us in good stead to face the challenges we will no doubt face in the new Parliament.

The arrangements that will apply to your appointment are as follows:

1 Appointment as a Minister

- 1.1 Although you are not a member of the Parliamentary Labor Party (PLP) you will be appointed in the same manner and will have and enjoy, except as specified in this letter, all the rights and entitlements of a Minister who is a member of the PLP. You must take the usual oaths or make the usual affirmations of office.
- 1.2 You must undertake all the duties pertaining to such an appointment and exercise all the functions and powers of a Minister. This includes but is not limited to:
 - Entering into contracts on behalf of the State/Crown.
 - Giving directions to, and being supported by the head of the State Service departments for which you are assigned responsibility under any Administrative Arrangements Order which may be in force from time to time.

1.3 In performing statutory responsibilities related to your portfolio and subject only to my being able to take any necessary action pursuant to and in accordance with paragraph 8.3 of this letter, you must give effect to (in the following order of priority):

- Any applicable laws, directions, instructions or orders having legal effect;
- Any decisions of the Executive Council; and
- Any decisions of the Cabinet.

1.4 In performing other (non-statutory) responsibilities related to your portfolio you must give effect to any decisions of the Cabinet (which are not matters of significant concern as defined in this letter).

1.5 I will arrange for ministerial staff, selected by you but approved by me, to be appointed to assist you with your ministerial duties. Ministerial Staff appointed to assist you will be appointed in the same way as other ministerial staff and must comply with the ministerial staff code of conduct.

2 Appointment as a member of the Executive Council

2.1 I will advise His Excellency, the Governor of Tasmania, to appoint you as a member of the Executive Council with all of the rights, entitlements and duties pertaining to such an appointment.

2.2 You must take the Executive Councillor's oath.

2.3 As a matter of practice, Ministers do not provide advice directly to His Excellency, the Governor, except with the prior approval of the Premier or at the express request of the Governor. If you do provide advice directly to the Governor you shall, unless I have expressly excused you from doing so, provide me with a true and accurate summary of any advice so provided.

2.4 You will not be required to attend an Executive Council meeting at which there is on the agenda a matter in relation to which you have absented yourself from Cabinet.

3 Appointment as a member of Cabinet

3.1 As the chair of Cabinet I have the final determination on any matter raised in Cabinet including the procedures for conducting Cabinet business.

3.2 Except as provided in this letter:

- You shall be a full member of Cabinet with the same entitlements as any other Minister to take matters to Cabinet, to discuss matters within Cabinet and to participate in decision-making in Cabinet; and
- You shall be subject to all usual Cabinet conventions including but not limited to the conventions of cabinet solidarity and confidentiality.

3.3 As a member of Cabinet you must comply with the provisions of the following:

- Cabinet Handbook
- Code of Conduct
- Gifts Policy
- Lobbying Code of Conduct

3.3.1 Cabinet Handbook

The Cabinet Handbook documents the procedures by which the Cabinet system operates. These procedures are designed to assist the efficient and effective presentation of matters for Cabinet consideration. Adherence to the procedures is essential to ensure that this important component of the machinery of Government works properly.

3.3.2 Code of Conduct

I enclose a copy of the Code of Conduct for Ministers and Government Members of Parliament. The Code incorporates a set of conduct principles as well as a number of existing policy and statutory elements and applies to all members of Cabinet. You have a responsibility to become familiar with the Code and to have regard to it when making choices about your own conduct. No Code can hope to cover every situation and I encourage you to seek advice on particular questions of conduct from me, or from the Secretary, Department of Premier and Cabinet, if necessary.

It is my intention to refer this code to the Integrity Commission when it is established and I will issue a new code based on its recommendations.

3.3.3 Gifts Policy

You must also abide by the Gifts Policy that applies to all Government members of Parliament, and their immediate families.

It is essential that all gifts other than token and personal gifts be declared and surrendered even if it is your intention to apply to me to retain the gift. I encourage you to contact the State Protocol Office if you receive a gift. I will continue to table annually in Parliament a register of gifts, so your propriety in relation to gifts must be scrupulous.

3.3.4 Lobbying Code of Conduct

The Lobbying Code of Conduct is designed to ensure that contact between Tasmanian Government representatives and lobbyists is conducted in accordance with public expectations of transparency, integrity and honesty.

4 Procedures for dealing with matters of significant concern

4.1 The expression "matter of significant concern" means:

- (i) A likely or recommended decision of Cabinet which if agreed is inconsistent with the policies of the political party to which you belong to such a degree or extent that you form the opinion that you could not support the decision without potentially compromising your membership of your party; and

- (ii) Subject to paragraph 4.2, such other matters of conscience that you consider to be matters of significant concern and of which you so advise me in writing prior to your being appointed as a Minister. Any document notifying me of a matter of conscience will be treated, and protected, as if it were a Cabinet document.
- 4.2 You are to provide a comprehensive list of matters of conscience to comply with paragraph 4.1(ii) but if you later form the opinion that a matter of conscience has arisen which was not declared prior to your appointment, I agree that you may subsequently add that matter to the list of matters of conscience declared, but you will need to provide me with reasons as to why the matter was not declared prior to your appointment and why you now wish to declare it.
- 4.3 You shall be provided with the same Cabinet papers at the same time as every other Minister and you shall consider them at the earliest opportunity.
- 4.4 Noting also the procedure described in paragraph 4.8, if, after reading a Cabinet document, it is your opinion that it deals with or relates to a matter of significant concern you must, as soon as possible, and in any case, before the Cabinet meets to discuss that matter, notify me of that fact in writing, together with the reasons why you have formed that opinion. Any document notifying me of a matter of significant concern will be treated, and protected, as if it were a Cabinet document.
- 4.5 On being notified by you that a Cabinet document may deal with or relate to a matter of significant concern I (or a delegate nominated by me) will consult you as soon as practicable, but in any case, before the Cabinet meets, to consider the matter and to discuss and agree the action to be taken. Those actions may include, but are not limited to:
- Deferring Cabinet's consideration of the matter to allow negotiation on the content of the relevant Cabinet document;
 - Agreeing to a variation to the document to be presented to Cabinet which removes the matter of significant concern;
-
- Clarifying that neither the Cabinet document (nor any likely Cabinet decision) deals with or relates to a matter of significant concern ;
 - Agreeing that you may present a Briefing to Cabinet that allows the matter to be discussed without a decision being required; or
 - Acknowledging that the matter is a matter of significant concern, and that Cabinet is to consider the matter in your absence.
- 4.6 If, after the consultation referred to in paragraph 4.5, no accommodation can be reached to remove or avoid a matter of significant concern then you will absent yourself from that part of a Cabinet discussion at which the matter of significant concern will or is likely to be discussed.
- 4.7 Notwithstanding paragraph 4.6 you may provide Cabinet with a written briefing on a matter of significant concern for Cabinet to consider.

- 4.8 If during a meeting of Cabinet you become aware that a matter of significant concern is being or is about to be discussed, you are to inform me (or the Minister chairing meeting at that time) as soon as you form that opinion. On being so advised I, or the other Minister chairing the meeting at the time, is to pause the meeting and either the matter can be deferred (pending consultation under paragraph 4.5) or you are to absent yourself from that part of the Cabinet discussion at which the matter of significant concern is being discussed.
- 4.9 Even when you have absented yourself from Cabinet in accordance with paragraph 4.6 or 4.8, you must not criticise, comment upon or disclose the relevant decision until the decision has been publicly announced by the Government.
- 4.10 Any Cabinet Decision that records a deliberation of Cabinet, for which you absented yourself, will record that fact.
- 4.11 You are not subject to the usual Cabinet Convention of collective responsibility in respect of a decision about a matter of significant concern. In particular, although remaining a member of the Cabinet, you may comment upon or criticise or, in Parliament, vote against the particular Government policy/decision in relation to which you absented yourself from Cabinet after the decision has been publicly announced. If you make any comment or criticism you must also indicate publicly that you absented yourself from the Cabinet discussion and were not a party to that decision. However, in accordance with Cabinet convention you must not disclose any Cabinet deliberations or discussions at which you were present.
- 4.12 As soon as practicable, you are to return to the Cabinet Office any Cabinet document that deals with or relates to a matter of significant concern and for which you absented yourself from the Cabinet discussion of that matter for that reason.

5 Handling Cabinet Papers

- 5.1 You may not disclose any of the information in any Cabinet documents (including those returned under paragraph 4.12) and are bound by Cabinet confidentiality in the same way as any Minister.
-
- 5.2 You must only provide Cabinet documents to staff employed in your ministerial office who have a legitimate need to have access to those documents and you are to ensure that all Cabinet documents are dealt with appropriately by those staff and in particular, that they do not disclose the contents of Cabinet documents to any other person including to members of the party to which you belong who are not Ministers.
- 5.3 Neither you nor any member of your staff may copy, duplicate, transcribe or otherwise reproduce the contents of any Cabinet document.

6 Accountability Plans

- 6.1 I think it is important that we impose on ourselves the discipline and rigour that we require from the heads of agency for whom we are responsible. In particular, I would like to establish annually with you, as with all Ministers, a set of documented objectives and priorities related to the portfolios for which you are responsible. This document would be tabled and noted by Cabinet so that all Ministers are aware of the requirements to which we have committed. I would anticipate regular <quarterly> reporting in Cabinet by all Ministers about the progress in achieving these agreed objectives. The objectives would then be the foundation of the annual performance agreement we will establish with each of the heads of agency who report to you.

7 Parliament

- 7.1 Save for matters of significant concern, you must vote with the Government on any matter raised in the Parliament which has received the approval of Cabinet and you must use your best endeavours by lawful means to persuade all other members of the party to which you belong to also vote for the Government's position.
- 7.2 You are not obliged to support the Government in the Parliament nor to vote with the Government in relation to:
- Matters about which you have absented yourself from Cabinet in accordance with paragraph 4.6 or 4.8; or
 - A matter of significant concern which you have declared or about which you have otherwise given notice to the me in accordance with this letter.
- 7.3 Once Cabinet has approved a Bill for introduction to the Parliament, you will be provided with a full legislation information package for that Bill including any PLP Briefing Note prepared and you may share that information with all other members of the party to which you belong.

8 Resignation of appointment

- 8.1 For so long as you remain a Minister in this Government, you must support the Government in relation to:
- Any "confidence" or "no confidence" motion which may be moved in the House of Assembly, and
 - "Supply";

Should you fail or be unable to honour this commitment you must resign from your office failing which I will recommend to the Governor that your appointment be terminated.

- 8.2 Subject to paragraph 8.3, if you consider that a decision which has taken by Cabinet or the Executive Council deals with or relates to a matter for which you are the responsible portfolio Minister by virtue of the Administrative Arrangements Order in force from time to time is a matter of significant concern you must resign from that portfolio failing which I will recommend to the Governor that your appointment to that portfolio be terminated.
- 8.3 Prior to you either offering your resignation pursuant to paragraph 8.2 (or me recommending the termination of your appointment to the Governor), I agree to consult you about and use my best endeavours to, by such lawful administrative action as may be available to me, relieve you of responsibility for the implementation of that decision.

9 Post Appointment

- 9.1 The expiration, resignation or other termination of your appointment as a Minister does not extinguish any obligation or liability which you have to maintain Cabinet confidentiality, to not divulge any of the information in any Cabinet documents and to not disclose any deliberations of Cabinet.
- 9.2 On the expiration, resignation or other termination of your appointment as Minister, you are to return all Cabinet documentation then in your possession, power or control to the Cabinet Office.
- 9.3 Consistent with the Lobbying Code of Conduct, when your appointment as a Minister ceases, you shall not, for a period of 12 months after you cease to hold that office, engage in lobbying activities relating to any matter in relation to which you had official dealings within the last 12 months in office.

I realise that the procedures spelt out in this document will not cover every eventuality that may arise with your appointment but I am sure that with goodwill, trust and open communication we will be able to ensure that the arrangement provides stability. I am committed to making sure your appointment is successful and I would ask the same commitment of you.

I suggest we review these arrangements in six months to ensure they are working effectively for the good governance of Tasmania.

Nick, I sincerely hope that you will accept my invitation to join the Ministry. As I have explained, due to time constraints and the need to quickly put in place the full Ministry, I need you to respond to my invitation by 8.30 am on this Sunday.

I look forward to a positive response and working with you in a ministerial capacity in the near future.

Yours sincerely



David Bartlett MP
Premier



Nick McKim MP
Greens Leader
Member for Franklin
Tasmanian Greens

Tuesday, 20 April 2010

Hon. David Bartlett MP
Premier
The Executive Building
Hobart, TAS, 7000

~~Dear Premier,~~ *David,*

I write to inform you that I have reconsidered my response to your offer of a Ministry in your government in light of your subsequent offer of the position of Secretary to Cabinet to my colleague Cassy O'Connor MP.

It is with a great sense of personal honour that I accept your offer to be a Minister in your government.

I acknowledge that this appointment carries with it the responsibility to act at all times with integrity and to work constructively in the Cabinet to deliver good outcomes for Tasmania and its people. As a proud member of the Tasmanian Parliamentary Greens, I am wholly committed to achieving these goals.

As I know you will agree our shared objective must be to make the most of this opportunity to deliver stable government and good governance for all Tasmanians.

I look forward to working with you and our Cabinet colleagues to deliver these outcomes.

Yours sincerely,

Nick McKim MP
Greens Leader
Member for Franklin

1 of 1

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Mr Nick McKim MP
Leader
Tasmanian Greens
162 Macquarie Street
HOBART TAS 7000

Dear Mr McKim

Invitation to join Cabinet etc

I enclose a copy of a letter inviting Ms Cassy O'Connor MP to be a member of Cabinet in my Government with formal responsibilities as Secretary to Cabinet.

The letter describes the arrangements that will apply to the appointment should Ms O'Connor accept it. You will note that the arrangements are similar to those that I discussed with you in relation to an offer to be a Minister in my Government, but they have been modified to take account of the non-ministerial status of the office of Secretary to Cabinet and a change that you have requested to the definition of 'a matter of significant concern'.

I also ask you to reconsider the offer of a ministerial appointment that I made to you in the letter I sent to you last Friday. Given the contents of the letter I have sent to Ms O'Connor my offer stands as described in the letter delivered to you on 16 April with the following change to the meaning of the expression 'a matter of significant concern'- ie paragraph 4.1(i) in that letter is omitted and replaced by following:

- "(i) A likely or recommended decision of Cabinet which if agreed would be inconsistent with the policies of the political party to which you belong to such a degree or extent that you form the opinion that you could not support the decision without potentially compromising your standing within your party; and"

Yours sincerely

David Bartlett MP
Premier

20 April 2010



Premier

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Ms Cassy O'Connor MP
Tasmanian Greens
162 Macquarie Street
HOBART TAS 7000

Dear Ms O'Connor

Secretary to Cabinet responsibilities

I am very pleased to invite you to be a member of Cabinet in my Government with formal responsibilities as Secretary to Cabinet.

Such an appointment is a privilege that carries with it the obligation to act at all times with integrity and awareness of the expectation of the Tasmanian community that the highest standards of conduct and professionalism need to be observed.

As you are not a member of the Parliamentary Labor Party (PLP), the arrangements that will apply to your appointment are as follows:

1 Appointment as the Secretary to Cabinet

- 1.1 If you accept my invitation I will advise His Excellency, the Governor of Tasmania, to appoint you under section 8F of the *Constitution Act 1934* as Secretary to Cabinet with all of the rights, entitlements and duties pertaining to such an appointment. The functions are specified in section 8G of that Act, and you must take the usual oaths or make the usual affirmations of office.
- 1.2 As Secretary to Cabinet you are not a member of the Executive Council or able in your own right to exercise any of the functions and powers of a Minister.
- 1.3 You are able to perform such administrative functions with respect to the affairs of the State as I determine and, insofar as the law allows, any Minister may delegate to you any functions and powers within the scope of his or her portfolio responsibilities.
- 1.4 In performing these functions or exercising these powers, you must give effect to (in the following order of priority):
 - Any applicable laws, directions, instructions or orders having legal effect;



- Any decisions of the Executive Council; and
- Any decisions of the Cabinet.

1.5 I will arrange for the establishment of an office of the Secretary to Cabinet which will provide you with an additional two staff, selected by you but approved by me, to be appointed to assist you with your Cabinet duties. These members of staff will be appointed in the same way as other ministerial staff and must comply with the ministerial staff code of conduct.

2 Appointment as a member of Cabinet

2.1 As the chair of Cabinet I have the final determination on any matter raised in Cabinet including the procedures for conducting Cabinet business.

2.2 Except as provided in this letter:

- You shall be a full member of Cabinet with the same entitlements as other members to take matters to Cabinet, to discuss matters within Cabinet and to participate in decision-making in Cabinet; and
- You shall be subject to all usual Cabinet conventions including but not limited to the conventions of Cabinet solidarity and confidentiality.

2.3 As a member of Cabinet you must comply with the provisions of the following:

- Cabinet Handbook
- Code of Conduct
- Gifts Policy
- Lobbying Code of Conduct

2.3.1 Cabinet Handbook

The Cabinet Handbook documents the procedures by which the Cabinet system operates. These procedures are designed to assist the efficient and effective presentation of matters for Cabinet consideration. Adherence to the procedures is essential to ensure that this important component of the machinery of Government works properly.

2.3.2 Code of Conduct

I enclose a copy of the Code of Conduct for Ministers and Government Members of Parliament. The Code incorporates a set of conduct principles as well as a number of existing policy and statutory elements and applies to all members of Cabinet. You have a responsibility to become familiar with the Code and to have regard to it when making choices about your own conduct. No Code can hope to cover every situation and I encourage you to seek advice on particular questions of conduct from me, or from the Secretary, Department of Premier and Cabinet, if necessary.

It is my intention to refer this code to the Integrity Commission when it is established and I will issue a new code based on its recommendations.

2.3.3 Gifts Policy

You must also abide by the Gifts Policy that applies to all Government members of Parliament, and their immediate families.

It is essential that all gifts other than token and personal gifts be declared and surrendered even if it is your intention to apply to me to retain the gift. I encourage you to contact the State Protocol Office if you receive a gift. I will continue to table annually in Parliament a register of gifts, so your propriety in relation to gifts must be scrupulous.

2.3.4 Lobbying Code of Conduct

The Lobbying Code of Conduct is designed to ensure that contact between Tasmanian Government representatives and lobbyists is conducted in accordance with public expectations of transparency, integrity and honesty.

3 **Procedures for dealing with matters of significant concern**

3.1 The expression "matter of significant concern" means:

- (i) A likely or recommended decision of Cabinet which if agreed would be inconsistent with the policies of the political party to which you belong to such a degree or extent that you form the opinion that you could not support the decision without potentially compromising your standing within your party; and
- (ii) Subject to paragraph 3.2, such other matters of conscience that you consider to be matters of significant concern and of which you so advise me in writing prior to your being appointed as Secretary to Cabinet. Any document notifying me of a matter of conscience will be treated, and protected, as if it were a Cabinet document.

3.2 You are to provide a comprehensive list of matters of conscience to comply with paragraph 3.1(ii) but if you later form the opinion that a matter of conscience has arisen which was not declared prior to your appointment, I agree that you may subsequently add that matter to the list of matters of conscience declared, but you will need to provide me with reasons as to why the matter was not declared prior to your appointment and why you now wish to declare it.

3.3 You shall be provided with the same Cabinet papers at the same time as every other member and you shall consider them at the earliest opportunity.

3.4 Noting also the procedure described in paragraph 3.8, if, after reading a Cabinet document, it is your opinion that it deals with or relates to a matter of significant concern you must, as soon as possible, and in any case, before the Cabinet meets to discuss that matter, notify me of that fact in writing, together with the reasons why you have formed that opinion. Any document notifying me of a matter of significant concern will be treated, and protected, as if it were a Cabinet document.

- 3.5 On being notified by you that a Cabinet document may deal with or relate to a matter of significant concern I (or a delegate nominated by me) will consult you as soon as practicable, but in any case, before the Cabinet meets, to consider the matter and to discuss and agree the action to be taken. Those actions may include, but are not limited to:
- Deferring Cabinet's consideration of the matter to allow negotiation on the content of the relevant Cabinet document;
 - Agreeing to a variation to the document to be presented to Cabinet which removes the matter of significant concern;
 - Clarifying that neither the Cabinet document (nor any likely Cabinet decision) deals with or relates to a matter of significant concern;
 - Agreeing that you may present a Briefing to Cabinet that allows the matter to be discussed without a decision being required; or
 - Acknowledging that the matter is a matter of significant concern, and that Cabinet is to consider the matter in your absence.
- 3.6 If, after the consultation referred to in paragraph 3.5, no accommodation can be reached to remove or avoid a matter of significant concern then you will absent yourself from that part of a Cabinet discussion at which the matter of significant concern will or is likely to be discussed.
- 3.7 Notwithstanding paragraph 3.6 you may provide Cabinet with a written briefing on a matter of significant concern for Cabinet to consider.
- 3.8 If during a meeting of Cabinet you become aware that a matter of significant concern is being or is about to be discussed, you are to inform me (or the Minister chairing meeting at that time) as soon as you form that opinion. On being so advised I, or the other Minister chairing the meeting at the time, is to pause the meeting and either the matter can be deferred (pending consultation under paragraph 3.5) or you are to absent yourself from that part of the Cabinet discussion at which the matter of significant concern is being discussed.
- 3.9 Even when you have absented yourself from Cabinet in accordance with paragraph 3.6 or 3.8, you must not criticise, comment upon or disclose the relevant decision until the decision has been publicly announced by the Government.
- 3.10 Any Cabinet Decision that records a deliberation of Cabinet, for which you absented yourself, will record that fact.
- 3.11 You are not subject to the usual Cabinet Convention of collective responsibility in respect of a decision about a matter of significant concern. In particular, although remaining a member of the Cabinet, you may comment upon or criticise or, in Parliament, vote against the particular Government policy/decision in relation to which you absented yourself from Cabinet after the decision has been publicly

announced. If you make any comment or criticism you must also indicate publicly that you absented yourself from the Cabinet discussion and were not a party to that decision. However, in accordance with Cabinet convention you must not disclose any Cabinet deliberations or discussions at which you were present.

- 3.12 As soon as practicable, you are to return to the Cabinet Office any Cabinet document that deals with or relates to a matter of significant concern and for which you absented yourself from the Cabinet discussion of that matter for that reason.

4 Handling Cabinet Papers

- 4.1 You may not disclose any of the information in any Cabinet documents (including those returned under paragraph 3.12) and are bound by Cabinet confidentiality in the same way as any other member of Cabinet.
- 4.2 You must only provide Cabinet documents to staff employed in your office who have a legitimate need to have access to those documents and you are to ensure that all Cabinet documents are dealt with appropriately by those staff and in particular, that they do not disclose the contents of Cabinet documents to any other person including to members of the party to which you belong who are not members of Cabinet.
- 4.3 Neither you nor any member of your staff may copy, duplicate, transcribe or otherwise reproduce the contents of any Cabinet document.

5 Parliament

- 5.1 Save for matters of significant concern, you must vote with the Government on any matter raised in the Parliament which has received the approval of Cabinet and you must use your best endeavours by lawful means to persuade all other members of the party to which you belong to also vote for the Government's position.
- 5.2 You are not obliged to support the Government in the Parliament nor to vote with the Government in relation to:
- Matters about which you have absented yourself from Cabinet in accordance with paragraph 3.6 or 3.8; or
 - A matter of significant concern which you have declared or about which you have otherwise given notice to me in accordance with this letter.
- 5.3 Once Cabinet has approved a Bill for introduction to the Parliament, you will be provided with a full legislation information package for that Bill including any PLP Briefing Note prepared and you may share that information with all other members of the party to which you belong.

6 Resignation of appointment

- 6.1 For so long as you remain the Secretary to Cabinet in this Government, you must support the Government in relation to:
- Any "confidence" or "no confidence" motion which may be moved in the House of Assembly, and
 - "Supply";

Should you fail or be unable to honour this commitment you must resign from your office failing which I will recommend to the Governor that your appointment as Secretary to Cabinet be terminated.

- 6.2 Subject to paragraph 6.3, if you consider that a decision which has been taken by Cabinet relates to a matter for which you have been made administratively responsible is a matter of significant concern you must resign from your office failing which I will recommend to the Governor that your appointment to that office be terminated.
- 6.3 Prior to you either offering your resignation pursuant to paragraph 6.2 (or me recommending the termination of your appointment to the Governor), I agree to consult you about and use my best endeavours to, by such lawful administrative action as may be available to me, relieve you of responsibility for the implementation of that decision.

7 Post Appointment

- 7.1 The expiration, resignation or other termination of your appointment as Secretary to Cabinet does not extinguish any obligation or liability which you have to maintain Cabinet confidentiality, to not divulge any of the information in any Cabinet documents and to not disclose any deliberations of Cabinet.
- 7.2 On the expiration, resignation or other termination of your appointment as Minister, you are to return all Cabinet documentation then in your possession, power or control to the Cabinet Office.
- 7.3 Consistent with the Lobbying Code of Conduct, when your appointment as Secretary to Cabinet ceases, you shall not, for a period of 12 months after you cease to hold that office, engage in lobbying activities relating to any matter in relation to which you had official dealings within the last 12 months in office.

I realise that the procedures spelt out in this document will not cover every eventuality that may arise with your appointment but I am sure that with goodwill, trust and open communication we will be able to ensure that the arrangement provides stability. I am committed to making sure your appointment is successful and I would ask the same commitment of you.

I suggest we review these arrangements in six months to ensure they are working effectively for the good governance of Tasmania.

I sincerely hope that you will accept my invitation to join the Cabinet. As I have explained, due to time constraints and the need to quickly put in place the full Ministry, I need you to respond to my invitation by mid-day on this Tuesday.

I look forward to a positive response and working with you in this official capacity in the near future.

Yours sincerely

A handwritten signature in black ink, appearing to be 'David Bartlett', written in a cursive style.

David Bartlett MP
Premier

20 April 2010



Tuesday, 20 April 2010

Hon. David Bartlett MP
Premier
The Executive Building
Hobart, TAS, 7000

David
Dear Premier,

It is with a great sense of personal honour that I write to accept your offer of the position of Secretary to Cabinet in your Government.

I acknowledge that this appointment carries with it the responsibility to act at all times with integrity and to work constructively in the Cabinet to deliver good outcomes for Tasmania and its people. As a proud member of the Tasmanian Parliamentary Greens, I am wholly committed to achieving these goals.

As I know you will agree, our shared objective must be to make the most of this opportunity to deliver stable government and good governance for all Tasmanians.

I look forward to working with you and our Cabinet colleagues to deliver these outcomes.

Yours sincerely,

Cassy O'Connor MP
Member for Denison

1 of 1

