

Premier and Cabinet Circular

PC 002 – BRIEFING REQUESTS FROM MEMBERS OF PARLIAMENT



Effective from September 2021

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1 Introduction

- 1.1 This circular replaces Commissioner for Public Sector Employment Guideline: Requests by Members of Parliament for Briefings, originally published in 2011.

2 Purpose

- 2.1 This circular provides guidance on the handling of requests for information and briefings by Members of Parliament to public sector employees. The circular aims to ensure as much access as possible while preserving the political impartiality of public employees and the confidentiality of government business.

3 Application

- 3.1 This circular applies to all public sector employees within the meaning of the *Public Sector Act 2009*.

4 Policy Guideline

- 4.1 Where a Member of Parliament seeks from a public sector employee information that is not publicly available, the request must be submitted to the appropriate Minister. If a public sector employee is approached directly by a Member of Parliament for information, the Member must be referred to the responsible Minister. The Minister must also be informed (through the chief executive or agency head) that the request has been made.
- 4.2 Each request will be treated by the Minister on its merits. Requests may be refused on the grounds that they require an excessive use of resources or that the information must remain confidential. It may also be more appropriate for the briefing to be given by the Minister or the Minister's office rather than a public sector employee.
- 4.3 When authorised by their Minister, public sector employees may provide factual briefings to Members of Parliament. In providing briefings, public sector employees must not express opinions on government policies, policy options, or matters of a party-political nature. Where a Member requests an opinion from a public sector employee, the employee should advise the Member that it is not appropriate for a public sector employee to offer opinions on government policy.
- 4.4 The guideline does not apply to day to day contact between Members of Parliament and public employees in the ordinary course of business, which should continue to be facilitated in a timely and professional way.

4.5 Examples of the ordinary course of business might include:

- A Member of Parliament contacting government in the course of obtaining a service, with the nature of the contact not dissimilar from what any ordinary member of the public would experience.
- Interaction with specific areas of government, such as Electorate Services, that deal with Members of Parliament as an ordinary part of their business.
- A Member of Parliament seeking information on where to obtain publicly available data or information.

Document Control

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For more information

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