

ATTACHMENT F

GENERAL PRINCIPLES FOR THE OPERATION OF MINISTERIAL COUNCILS

The following are principles for the efficient and effective operation of Ministerial Councils.

1. Membership by local government and New Zealand (and/or other regional governments) should not intrude on the central functions of the development and coordination of policy, problem-solving and joint action by jurisdictions within the Federation. However, such membership may often be desirable to facilitate consultation and national policy development and should be reviewed on a regular basis.
2. Every three years, as a minimum, each Ministerial Council should review its structure, objectives and performance, and evaluate the implementation of its decisions. This will be assisted by procedures for tracking the implementation of decisions and agreements made between the Ministers. The review should include an assessment of the Council's structure and relationship with other Ministerial Councils, identify any areas of overlap and include recommendations and timelines for addressing any issues in the report. The outcomes of the review process should be made available in a report to COAG Senior Officials and COAG if requested.
3. Each Ministerial Council should clarify annually its field of coverage and the powers it exercises, consistent with the brief that Ministers hold from their governments.
4. The locations of Ministerial Council meetings will generally be restricted to the capital cities of Australia and to Alice Springs, although Ministerial Councils may choose to opt for other locations if necessary, giving serious regard to economy, convenience and relevance to the matters being discussed. Meetings of Ministerial Councils should consider rotation of venues to ensure that the burden of travel does not fall disproportionately on some jurisdictions.
5. Every three years, as a minimum, Ministerial Councils should review the structures of their committees of officials and working parties to ensure they are reduced in number to those which are essential, that those retained are clearly focussed, given a fixed time to achieve their objectives and that their terms of reference include a sunset clause. The outcomes of the review process should be made available in a report to COAG Senior Officials and COAG if requested.

6. Ministerial Councils should meet annually. Councils may meet more than once a year in exceptional circumstances, or where the work program of the Council clearly demonstrates a need. In all cases, when Ministerial Council meetings are scheduled, Ministers should check the agendas to ensure that a face-to-face meeting is necessary. Ministerial Councils should make full use of the technology available to increase the efficiency of their operations, including to reduce the need for face-to-face meetings to one a year, where possible. Ministerial Councils should implement out-of-session arrangements, discussing items at other scheduled Ministerial Council meetings and discussions via teleconferencing and videoconferencing.
7. Council agendas should focus on items of strategic national significance. Items should only be included on the Agenda where there is:
 - referral by COAG;
 - legislative requirements;
 - interest or potential interest for all jurisdictions;
 - seen to be a benefit in sharing information, innovations and experience;
 - a need to resolve areas of disagreement on key issues of Australia-wide concern; or
 - a need to ensure effective Ministerial control and accountability to Ministers at a national level of key activities and matters subject to funding agreements.

Items of a procedural and technical nature should be delegated as far as possible to standing committees of officials to determine, or be dealt with out-of-session (for example, by correspondence).

8. Where items cover the remit of more than one Ministerial Council, the Council should identify a process for involving the other relevant Ministerial Councils in discussions and policy development. Relevant Ministerial Council decisions should be discussed and/or ratified by other Ministerial Councils where appropriate.
9. A list of Ministerial Councils should be published and regularly updated on the COAG website (www.coag.gov.au), including where possible for each, details of its field of policy, roles and functions, operational objectives, membership, standing committees of officials, secretariat arrangements and contact points. This website should also include the Protocols for the Operation of Ministerial Councils, and the COAG Guidelines for the Creation of New Ministerial Councils. A printed copy of this publication should also be prepared and made available if requested. Individual jurisdictions should ensure that this publication receives wide circulation among their agencies.

10. A Ministerial Council should only be formed or abolished with the endorsement of Heads of Government. The COAG Guidelines for the Creation of New Ministerial Councils should be applied in all cases. To achieve consistency of nomenclature, it is desirable that, as far as possible, continuing, multilateral meetings of Ministers from the various jurisdictions should be called Ministerial Councils. Groups of senior officials which support Ministerial Councils should be called Standing Committees.
11. In cases where the field of policy covered by a Ministerial Council covers more than one portfolio in any jurisdiction, each jurisdiction should determine which Minister or Ministers are to attend and arrange appropriate liaison. The use of a standardised consultation process across Departments on Ministerial Council issues, particularly when issues cover the remit of more than one Ministerial Council, would also be beneficial.
12. Each Council may wish to review its arrangements for chairing with a view to considering the option of rotating the chair. Ministerial Councils may wish to examine their secretariat arrangements along with the chairing arrangements, to ensure that they have the arrangement which is the most effective for that Council. Ministerial Councils with rotating Secretariats could investigate the option of establishing a permanent secretariat.
13. All Councils should formalise their procedures so that they are consistent with the Protocols for the Operation of Ministerial Councils. These procedures should be reviewed at least triennially.
14. Subject to the applicability of the relevant Commonwealth, State or Territory freedom of information legislation, unless Council approval is received, any discussion by, or document of the Council, or any committee, sub-committee, working party, officer or agent of the Council, shall be confidential.