*This is an instructional Cabinet paper template prepared by the Cabinet Office.*

[Security classification – minimum of In Confidence required]

Office of the Minister X

Chair, Cabinet X Committee

**The Title of the Policy Paper Here**

**Proposal**

1. State the proposal at the beginning of the paper in one or two sentences. Succinctly state what Ministers are being asked to consider or decide. Do not list the recommendations.

**Executive Summary**

1. An executive summary must be provided if the paper, including appendices that must be read to understand the issues, is more than four pages long, or if the paper is particularly complex. An executive summary should be brief and succinctly explain the main issues.

**Background**

1. Background information should cover such things as:
   1. a brief explanation of the reasons for the paper (for example, government policy, need to respond to external factors);
   2. reference to previous Cabinet or committee decisions (it may not be necessary to restate in full all of the previous decisions as an accurate summary will often suffice - always quote the most relevant Cabinet or committee minute reference, e.g. CAB-15-MIN-0035, or, where the Cabinet minute confirms decisions made by the Cabinet committee, quote the appropriate Cabinet committee minute reference of the decision e.g. CBC-15-MIN-0066;
   3. a summary of developments.

**Comment**

1. This is the main body of the paper. It should provide the detail required for Ministers to understand the proposal.
2. Confine comment to essential information and argument that supports the recommendations and facilitates good decision making. Lengthy, complex and detailed arguments may not be read or understood.
3. Comment should, however, state the need for the proposed changes and, as appropriate, set out alternatives and arguments for and against.
4. Make sure the key issues stand out. Break this section up with headings if required.

**Consultation**

1. See the consultation section of the CabGuide for information about the process for consulting departments and interest groups.
2. This section should list the departments that were consulted. If a department does not concur, include a clear statement of their views.
3. If the nature of the paper means that specific consultation is required under an Act, outline the statutory requirements, describe the consultation process, and comment on any controversial aspects.
4. Check that the departments listed in this section match the departments listed in the relevant consultation boxes in CabNet (or on the consultation form (CAB100) for highly classified submissions). The paper should also name any outside interest groups that were consulted, including Crown entities, other statutory agencies, and Offices of Parliament.
5. If outside interest groups have been consulted, provide details. If such consultation is intended after decisions are made, comment on that.
6. Where necessary, papers should also include the following sections:

**Financial Implications**

1. All papers that contain recommendations on expenditure or revenue, or that have financial, fiscal or economic implications, must include this section and must have been referred to the Treasury for comment. Papers proposing that additional funding be approved must be referred to the Minister of Finance before the paper is submitted. The Cabinet Office will not put papers on an agenda that do not have the necessary agreement of the Minister of Finance, until the issue is resolved.
2. See the CabGuide section on financial implications and recommendations for detail on dealing with proposals with fiscal implications.
3. This section should discuss the financial implications of the proposal. If appropriate, outline the costs and how they will be met.

**Human Rights**

1. See the CabGuide section on human rights implications for information on the requirements for considering human rights issues when developing policy.
2. All policy papers must include a statement about whether the proposal is in any way inconsistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. State the nature of any potential inconsistencies identified, or state that there are none and note the steps taken to address any issues, or include information on any justifications for the bill infringing a right or freedom.

**Legislative Implications**

1. The legislative implications of the proposal should be stated (indicating whether a bill or regulation is required to implement the proposal, and whether a proposed bill has been given a slot on the Legislation Programme and its priority category). The Parliamentary Counsel Office must be consulted if there are legislative implications.
2. If a paper proposes a timeline for a bill that differs from the bill's priority category on the Legislation Programme, the paper should include a recommendation proposing a new priority category.  The paper should also indicate that the required consultation with the Parliamentary Counsel Office has occurred.
3. All Cabinet papers seeking policy approvals for proposals that will result in government bills, must address the issue of whether the proposed Act is to bind the Crown. See Cabinet Office circular CO (02) 4, entitled Acts Binding the Crown: Procedures for Cabinet Decisions.
4. If a bill is required to implement the policy and there is no provision in the Legislation Programme for such a bill, see the CabGuide section on the Legislation Programme for the required process.

**Regulatory Impact Analysis**

1. Relevant papers must include a section on regulatory impact analysis (RIA).
2. All policy proposals submitted to Cabinet that involve "regulatory options" (the potential introduction of new legislation (bills or regulations), or changes to/the repeal of existing legislation) must be accompanied by a Regulatory Impact Statement (RIS) unless an exemption applies.
3. The RIA section should:
4. indicate whether or not the RIA requirements apply and whether a RIS has been prepared and is attached to the Cabinet paper and, if not, the reasons why;
5. provide an agency opinion on the quality of the impact analysis, which is a statement on whether the reviewer considers that the information and analysis summarised in the RIS meets/does not meet/partially meets the quality assurance criteria, and comment on any issues that have been identified in relation to any of the dimensions of quality set out in the quality assurance guidance.
6. Remember to attach the RIS when submitting the paper.

**Gender Implications**

1. See the CabGuide section on the requirement to include a gender implications statement in policy papers.

**Disability Perspective**

1. See the CabGuide section on the requirement to include a disability perspective in appropriate papers.

**Publicity**

1. State whether any publicity is planned and whether or not the Minister proposes to release the paper proactively. If proposals are likely to create controversy, the paper should draw Cabinet's attention to the implications.
2. Any proposals for government advertising and publicity must comply with the Guidelines for Government Advertising in Appendix B of the Cabinet Manual.

**Recommendations**

1. Discussions at Cabinet or Cabinet committee meeting will usually focus on the recommendations. It is, therefore, important to set out the recommendations in a logical order, and to set out clearly and unambiguously all of the decisions needed. All recommendations, including options, must be drawn together at the end of the paper, not scattered throughout the text. Do not omit important issues on which decisions are required.
2. Recommendations must be written so that they can be converted into a minute recording Cabinet's or the committee's decision, if Cabinet or the committee agrees with them, so that they can “stand alone”, and their meaning is clear to those who may not have read the paper. They must provide a clear guide to Ministers, and to departments that have to implement the decision. To test this, imagine the reader has reference only to the recommendations, not the paper itself, and see if the recommendations would make sense to someone who knows nothing about the paper or its content.
3. Each recommendation must be supported by a statement(s) in the body of the paper. Do not introduce new material or points into the recommendations. If there is a large set of recommendations, it can be helpful to use subheadings in line with the ones in the main body of the paper.
4. If necessary, the Cabinet Office will edit the recommendations when preparing the Cabinet Office coversheet and will discuss any significant changes with the Minister's office.
5. Financial recommendations must be written in a specific format and provide certain information.
6. Noting recommendations are usually required – for noting previous related decisions, when reporting on progress towards a particular aim of policy development, when the implications of undertaking a certain move are to be taken into account, and when it is necessary to make recommendations clear when read independently of the supporting paper.
7. If a report back is proposed, recommend a realistic, achievable date. If no date is recommended, Ministers may choose one that cannot be met by the department. Recommendations should also state to whom the proposed report back is to be made (this should be to the appropriate level - for example, to the relevant portfolio Minister(s), an ad hoc group of Ministers, or a Cabinet committee) and which departments are to be involved.
8. Recommendations seeking approval "in principle" should be made sparingly. The recommendation should clearly state what further work or consultation is required (“subject to”) before the "in principle" decision is to come back to Cabinet for confirmation or otherwise.
9. While every effort should be made through consultation to produce agreed recommendations, if there are genuine differences that cannot be resolved, the paper should give clear options so that Ministers can make the final decision.
10. In summary, good recommendations:
    1. identify all of the decisions needed;
    2. contain a minimum of noting recommendations;
    3. are accurate in every detail;
    4. don't leave any room for doubt about what is being decided;
    5. make sense independently of the paper;
    6. set out clear options for Ministers to decide between, if necessary;
    7. give clear instructions on the next steps or work required, identifying who is to do the work and by when;
    8. rescind earlier decisions, where necessary.
11. Example formats for recommendations are as follows:

The Minister for x recommends that the Committee:

1. note...
2. agree that...
3. agree in principle, subject to the further work requested in paragraph 4 below, that...
4. direct the Ministry of Examples to report to the Cabinet Examples Committee by 1 January 2016 with...
5. invite the Minister for...
6. approve...
7. authorise...
8. **EITHER** [supported by [xx] department]
   1. agree to...

**OR** [supported by [xx] department]

* 1. agree to...

1. defer...
2. decline...
3. note that on 1 August 2015, the Cabinet Legislation Committee agreed… [LEG-15-MIN-0035];
4. rescind the decision referred to in paragraph 11; and instead
5. agree...

Authorised for lodgement

Hon John Jones

Minister for X