

DRAFTING INSTRUCTIONS- TEMPLATE & GUIDELINES

Please complete the form below which has been set out in a manner to assist with the giving of drafting instructions

Drafting instructions enable the drafter to obtain a thorough and complete understanding of the purposes of the required legislation.

IMPORTANT TIPS TO NOTE:

- Drafting instructions must provide a comprehensive overview of the general philosophy behind the initiative and the specific results to be achieved.
- Please use plain language when preparing drafting instructions (do not attempt to draft)
- As the giving of drafting instructions may be ongoing, drafting instructions should be communicated by one departmental contact person

	Guidelines	Requirement
HEADING:	Heading should mirror the heading of the Cab Memo	
TO:		
FROM:	Drafting instructions should always be communicated by the Permanent Secretary. But where necessary, the details of the technical officer who will act as the departmental contact person should also be included.	
DATE:		
SUMMARY:	Summarize in bullet point form all objectives/ policy aims presented in the Cab Memo and cite the paragraph of the Cab Memo and Cab Conclusion addressing each point	
ENCLOSED:	Drafting instructions must be accompanied by the Cabinet Conclusion	

Using the questions below as a guide, please provide the relevant information for each policy aim listed above

Policy Aim #1

<p>A. The Issue</p> <p><u>WHAT</u></p>	<p>This section identifies the issues that each policy aim is intended to address. This section should address the following:</p> <ol style="list-style-type: none">1. WHAT is the nature of the problem?2. What is the current state of things?3. What are the associated problems and knock on effects?4. Give background describing the facts in logical/chronological sequence <ol style="list-style-type: none">1. WHO else is affected?2. What other persons/ organizations are impacted?3. Have their views been considered? <ol style="list-style-type: none">1. WHEN did the problem arise2. How long has it existed? <ol style="list-style-type: none">1. WHERE in legislation is the current issue found?2. Under what legislative or other authority does the current issue occur?3. What provisions enable the current state of affairs?4. How is the issue addressed in the current legislation?5. In what ways is the current legislation inadequate?	
<p>B. Objectives:</p> <p><u>HOW</u></p>	<p>This section explains how the issue will be resolved and should address the following:</p> <ol style="list-style-type: none">1. WHAT are the proposed solutions to the particular issue identified in the Issue Section above?	

	<ol style="list-style-type: none"> 1. WHO else is involved/impacted 2. by the proposal/solutions? 3. Have they been consulted? 4. Do they agree with the proposal? <ol style="list-style-type: none"> 1. HOW is intended for the problems to be resolved? 2. How will the proposal resolve the problem and associated problems? 3. How will it work in practice? 4. What powers are necessary to be given in the primary legislation to address the problem? 5. How will the new powers and provisions be implemented and by whom? 6. What are the pros and cons? 7. What (if any), are foreseeable problems in implementing this proposal? 8. How will the proposal impact the associated others? 9. What additional problems can be foreseen and will subsidiary legislation be able to address them? <ol style="list-style-type: none"> 1. WHERE will the change need to occur to resolve the issue? 2. What legislative proposals are needed to implement the objective? 	
<p>C. Settled policy:</p> <p><u>WHO</u></p>	<p>Where necessary, consultation must be carried out to ensure the proposal/solutions have been fully considered by all those impacted. This section should address the following:</p> <ol style="list-style-type: none"> 1. WHO was invited to participate in consultation? 2. Who participated in 	

	<p>consultation?</p> <ol style="list-style-type: none"> 3. What is the role of those who were consulted? 1. HOW was consultation carried out? i.e. meetings, forums, interviews etc. 1. WHEN did consultation occur 2. How long was the consultation process? 1. WHAT issues arose as a result of consultation? 2. Have these issues been factored into the proposal? 3. How have they been factored into the proposal/solution? 	
<p>D. Other jurisdictions:</p> <p><u>WHERE</u></p>	<p>Explain (if relevant) the approach taken by other jurisdictions. This section should address the following:</p> <ol style="list-style-type: none"> 1. WHAT other jurisdictions were considered and why? 1. HOW do these jurisdictions address the issue? 2. Attach any precedent legislation and explain why it is relevant. 3. What (if any) conventions or international standards are to be considered? 4. Please list the relevant points of the conventions or standards and references being relied upon for the purposes of this proposal. 	
<p>E. Time Frame</p> <p><u>WHEN</u></p>	<p>Explain whether there are any reasons for the changes to commence on a specific date? This section should address the following?</p> <ol style="list-style-type: none"> 1. WHEN does the proposal need to be implemented? 2. What (if any) are the effects should the proposal be brought into effect on a certain date? 	

	<p>3. How will the time frame impact/ or be affected by associated persons/organizations?</p>	
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Policy Aim #2

<p>A. The Issue</p> <p><u>WHAT</u></p>	<p>This section identifies the issues that each policy aim is intended to address. This section should address the following:</p> <ol style="list-style-type: none"> 1. WHAT is the nature of the problem? 2. What is the current state of things? 3. What are the associated problems and knock on effects? 4. Give background describing the facts in logical/chronological sequence <ol style="list-style-type: none"> 1. WHO else is affected? 2. What other persons/ organizations are impacted? 3. Have their views been considered? <ol style="list-style-type: none"> 1. WHEN did the problem arise 2. How long has it existed? <ol style="list-style-type: none"> 1. WHERE in legislation is the current issue found? 2. Under what legislative or other authority does the current issue occur? 3. What provisions enable the current state of affairs? 4. How is the issue addressed in the current legislation? 5. In what ways is the current 	
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	legislation inadequate?	
<p>B. Objectives:</p> <p><u>HOW</u></p>	<p>This section explains how the issue will be resolved and should address the following:</p> <ol style="list-style-type: none"> 1. WHAT are the proposed solutions to the particular issue identified in the Issue Section above? 1. WHO else is involved/impacted 2. by the proposal/solutions? 3. Have they been consulted? 4. Do they agree with the proposal? 1. HOW is intended for the problems to be resolved? 2. How will the proposal resolve the problem and associated problems? 3. How will it work in practice? 4. What powers are necessary to be given in the primary legislation to address the problem? 5. How will the new powers and provisions be implemented and by whom? 6. What are the pros and cons? 7. What (if any), are foreseeable problems in implementing this proposal? 8. How will the proposal impact the associated others? 9. What additional problems can be foreseen and will subsidiary legislation be able to address them? 	

	<ol style="list-style-type: none"> 1. WHERE will the change need to occur to resolve the issue? 2. What legislative proposals are needed to implement the objective? 	
<p>C. Settled policy:</p> <p><u>WHO</u></p>	<p>Where necessary, consultation must be carried out to ensure the proposal/solutions have been fully considered by all those impacted. This section should address the following:</p> <ol style="list-style-type: none"> 1. WHO was invited to participate in consultation? 2. Who participated in consultation? 3. What is the role of those who were consulted? 1. HOW was consultation carried out? i.e. meetings, forums, interviews etc. 1. WHEN did consultation occur 2. How long was the consultation process? 1. WHAT issues arose as a result of consultation? 2. Have these issues been factored into the proposal? 3. How have they been factored into the proposal/solution? 	
<p>D. Other jurisdictions:</p> <p><u>WHERE</u></p>	<p>Explain (if relevant) the approach taken by other jurisdictions. This section should address the following:</p> <ol style="list-style-type: none"> 1. WHAT other jurisdictions were considered and why? 1. HOW do these jurisdictions address the issue? 2. Attach any precedent legislation and explain why it is relevant. 3. What (if any) conventions or international standards are to be 	

	<p>considered?</p> <p>4. Please list the relevant points of the conventions or standards and references being relied upon for the purposes of this proposal.</p>	
<p>E. Time Frame</p> <p><u>WHEN</u></p>	<p>Explain whether there are any reasons for the changes to commence on a specific date? This section should address the following?</p> <ol style="list-style-type: none">1. WHEN does the proposal need to be implemented?2. What (if any) are the effects should the proposal be brought into effect on a certain date?3. How will the time frame impact/ or be affected by associated persons/organizations?	