



Government of South Australia

Department of the Premier
and Cabinet

Access to Cabinet documents

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Access to Cabinet Documents

Introduction

This information sheet has been prepared jointly by State Records SA and the Cabinet Office of the Department of the Premier and Cabinet. Its aim is to assist members of the public enquiring about access to records created by the Government in Cabinet and the Executive Council.

1. When can I access Cabinet documents?

In general, South Australian Cabinet documents are open to public access after 20 years. Even after 20 years, access to some documents may still be restricted in accordance with the provisions of the *Freedom of Information Act 1991*. SA does not follow the Commonwealth system of a wholesale, annual release of Cabinet records (which in the Commonwealth happens after a period of 30 years).

2. What are Cabinet documents?

The Cabinet Office processes a variety of Cabinet documents and related Executive Council documents. Both types of document are defined in the *Freedom of Information Act* and are basically any documents (including the drafts of documents) prepared specifically for submission to Cabinet (or Cabinet Sub-Committee or Cabinet Committees) and Executive Council.

3. What is a Cabinet submission?

The most common Cabinet documents are submissions brought to Cabinet by Ministers so that Cabinet can make decisions on recommendations contained in the submission. Cabinet submissions are paper documents, which may or may not have attachments.

The definition of Cabinet documents in the *Freedom of Information Act* potentially covers all submissions prepared for Cabinet or for Cabinet Committees (including the more routine matters prepared with less detail for Cabinet Sub-Committee), and matters that are referred to Cabinet for information only, not for decision (the latter usually taking the form of a Cabinet Note).

4. How do I access Cabinet documents?

Step 1 – Visit State Records and search the indices for your desired topic. For pre-1988 documents this involves the scanned copies of a handwritten card index that is still in the process of being scanned. While as a general rule the index cards will be open for public access after 20 years, there will be some exceptions to this rule.

Step 2 – Make a note of the document subject, date and any docket/file reference numbers. State Records can assist with identifying any successors to the Minister or agency that produced the document.

Step 3 – Identify the record series to which the Cabinet document belongs. State Records can assist with this.

Step 4 – Determine any access limitations on the relevant record series. State Records can assist with this.

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Step 5 – If necessary, seek permission from the creating/responsible agency to access and copy documents from the record series. State Records can assist with determining if permission is required.

Step 6 – Search the relevant record series for the document and request access.

5. How can I access records under the *Freedom of Information Act 1991*?

Applications to view records that are restricted to public access can be made under the *State Records Act 1997*. If the request is denied, applications to view the same records can be made under the *Freedom of Information Act*.

For more information about State Records and its services go to <http://www.archives.sa.gov.au> or contact (08) 82048791.