

## Department of Premier and Cabinet

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Dept ref: 26/47064/1

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Committee Chair  
Select Committee on Caretaker Conventions  
Parliament House  
HOBART TAS 7000  
By email: [caretaker@parliament.tas.gov.au](mailto:caretaker@parliament.tas.gov.au)

Dear Ms Badger

Thank you for your letter dated 9 April 2026 inviting me to provide a submission to the House of Assembly Select Committee on Caretaker Conventions (the Select Committee). This submission refers to the terms of reference and the role of the Department of Premier and Cabinet (DPAC) relating to Project Marinus, TT-Line, Tasracing's promotion of Tasinsure and the decision to engage Pulse media during the election period.

As you know, the caretaker period begins with the dissolution of the House of Assembly and continues until the election result is clear or, if there is a change of government, until the new government is appointed.

During the caretaker period, the business of government continues, and ordinary matters of administration still need to be addressed. The caretaker conventions aim to ensure that the actions of government do not bind an incoming government and limit its freedom of action. The conventions aren't legally binding, and its application is based on judgement and common sense. Broadly, government avoids:

- making major policy decisions that are likely to commit an incoming government or limit its freedom to act;
- making significant appointments; and
- entering into major contracts or agreements.

There are also established conventions and practices associated with the caretaker period that are directed at:

- protecting the apolitical nature of the State Service;
- outlining the role and work of the State Service during an election campaign; and
- avoiding the use of government resources in a manner to advantage a particular party.

It is important to note that these guidelines operate within a broader context. During the caretaker period, agencies continue to operate within usual policy, legal and service delivery parameters when dealing with the ordinary business of government.

Policy that ordinarily directs State Service and ministerial conduct continue to be in place. Of particular note, during a caretaker period the following relevant policy documents continue to apply:

Policy	Purpose
<i>State Service Act 2000</i> and the Code of Conduct	Governing legislation which underpins the employment framework. The State Service principles include the requirement to be apolitical, ethical and professional, providing honest, comprehensive and thorough policy advice to guide decision-making.
<i>Handbook for Elected Members of the House of Assembly and Prescribed Parliamentary Office Holders</i>	Provides information and guidelines to assist Government and non-government Members in carrying out their Parliamentary roles and responsibilities. The Members' Handbook includes the procedural framework covering interaction by Government and non-government Members and their staff, with the State Service. Includes explicit guidance about the use of the Members' Resource Allowance (MRA). During caretaker period in 2025, DPAC's acting Chief Financial Officer provided Members with advice about the appropriate use of their MRAs.
<i>Code of Conduct for Ministers</i>	The Code and associated guidelines provide clear guidance to Ministers on how to deal with potentially difficult accountability issues, including conflicts of interest and any pecuniary interests. The Code applies between the Premier and each Minister. Ministers must observe the Code at all times and the consequences of any failure to do so is a matter between the Premier and the Minister concerned.
<i>Tasmanian Government Corporate Brand Identity and Communications Policy</i>	The <i>Tasmanian Government Corporate Brand and Communications Policy</i> provides information on communication requirements, general principles, legislative requirements and brand guidance for the Tasmanian Government. Of relevance, the policy is clear about the use of public resources for political purposes.

## The Department of Premier and Cabinet's role during a caretaker period

It is the responsibility of DPAC to issue guidelines to support decision-making during the caretaker period and to provide information and advice throughout the election period on their application. Training materials are also provided to State Service departments to assist with policy understanding and implementation.

After the State Election was called in June 2025, DPAC reviewed and updated the Caretaker Guidelines making minor amendments and clarifying that the conventions applied to all Government agencies, including Government Business Enterprises, State-owned Companies and statutory authorities.

The Guidelines were released by letter to all major party leaders, all independent Members of Parliament, all State Service departments and agencies, Ministers, Chief Executive Officers and Chairs of the Boards of State-owned Companies, Government Business Enterprises and statutory authorities. This is important as the responsibility for observing the conventions rests with the Heads of Agency, Chief Executive Officers, Chairs of the Boards of State-owned Companies, Government Business Enterprises, and in matters where they are involved, with the relevant Ministers. A copy of the Guidelines, the training materials and example letters are attached (refer to attachments 1-4).

I also note that that the relationship between Ministers and bodies that are not agencies under the *State Service Act 2000*, such as Government Business Enterprises and State-owned Companies, varies from body to body. However, those bodies should observe the caretaker conventions and practices unless doing so would conflict with their legal obligations or compelling commercial/organisational requirements.

DPAC's Communications Manager emailed all Tasmanian Government communications managers providing advice about communications specific resources to assist with the caretaker period and reviewed all of its online content and promotional content to ensure that any communications activity and material produced during the caretaker period related only to the day-to-day business of the agency and could not reasonably be construed as being for political purposes (refer to attachment 5).

DPAC's role as the central policy agency to government remains during a caretaker period. During this period, there may be instances where urgent issues arise and the provision of policy advice to allow responsible ongoing administration or to protect the State's interests and to enable the Government to respond appropriately in the public interest, is necessary and appropriate.

## **Project Marinus**

Project Marinus has been a long-term significant project for Government. DPAC, as the central policy agency, has provided advice at various stages most notably through representation on the Energy Executive Steering Committee (EESC).

The caretaker conventions safeguard against binding a future government and DPAC highlights that this can be by way of an active decision or, in some cases, by not making a decision. During the caretaker period, a determination was required about the Final Investment Decision (FID) and subsequently DPAC provided advice to the EESC and to the Department of State Growth (State Growth). The advice provided at this time is publicly available.

DPAC also drew State Growth's attention to Section 11 of the Caretaker Guidelines (Consultation between non-government parties and agency staff). DPAC suggested that, given the financial significance of Project Marinus and the level of political and public interest, consideration should be given to engaging with a broad range of Members of Parliament, not just the leader of the largest non-government party or the Opposition Spokesperson. DPAC recommended that the consultation and briefings should balance the commercially sensitive nature of some information with the need to explain to the Opposition Parties and other interested Members of Parliament the complex range of issues related to making a FID.

DPAC Policy and Intergovernmental contributed its usual Cabinet Advisories about the Minutes going to Cabinet for consideration in July 2025 in relation to the intergovernmental agreement to progress Project Marinus.

### **Tasracing's promotion of Liberal Party election commitment 'Tasinsure'**

On 12 June 2025, I wrote to the Chief Executive Officer and Chair of the Board of Tasracing at the same time as I wrote to all Government Business Enterprises, State-owned Companies and state authorities about the commencement of the caretaker period and attaching a copy of the Caretaker Guidelines.

To the best of my knowledge and in good faith, DPAC did not provide any other advice or information to Tasracing during the caretaker period.

### ***Engagement with Tasracing post the caretaker period***

On 6 January 2026, the Acting Secretary DPAC, Mr Shane Gregory, telephoned the Chair of the Board of Tasracing, Mr Gene Phair, to ask what actions had been taken by Tasracing as a result of alleged breach of the caretaker conventions. This conversation was followed up with a letter dated 6 January 2026 from Mr Gregory to Mr Phair. In the letter, the Acting Secretary asked the Board to outline what action it had taken to address the matter.

On 19 January 2026, Mr Phair wrote to me saying that Tasracing did not endorse or recommend Tasinsure to its stakeholders but had provided a text and details about Tasinsure on its website for information only. Further, it had removed the Tasinsure post from the Tasracing website. The Board considered that the matter was resolved to the satisfaction of the Board.

On 29 January 2026, I wrote to Mr Phair stating my view that Tasracing's commentary about Tasinsure during the caretaker period was a breach of the Caretaker Guidelines and operations of Government during the caretaker period.

In my letter, I recommended to the Board that it considers providing additional professional development to Tasracing employees at the commencement of any election period to support understanding and compliance with the caretaker conventions. I indicated that DPAC will support the provision of training with information sessions.

On 4 February 2026, Mr Phair wrote to me accepting this advice and the offer of professional development and support for Tasracing employees during the next caretaker period.

For ease of reference, I have attached all correspondence between DPAC and Tasracing (refer to attachment 6).

### **TT-Line financial assistance**

To the best of my knowledge and in good faith, DPAC did not provide any advice or information to TT-Line during the caretaker period.

I understand that the Department of Treasury and Finance is providing commentary about its role in relation to this matter as a separate submission to the Select Committee.

## The decision for Government funds to be spent advertising with Pulse Tasmania

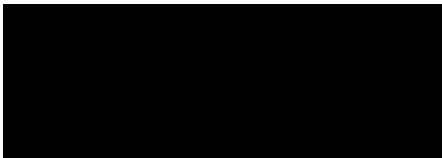
DPAC's involvement in relation to the matter of expenditure on advertising with Pulse Media Group is administrative. DPAC provides financial services to Ministerial and Parliamentary Support (MPS), including processing invoices.

Invoice received	Service period/purpose	Paid by DPAC
27 May 2025	Tasmanian Budget 2025-26 launch. The Premier's Office approved the invoice for payment on 1 June 2025	10 June 2025
6 June 2025	Tasmanian Budget 2025-26 launch extension. The Premier's Office approved the invoice for payment on 10 June 2025	23 June 2025
11 June 2025	Tasmanian Budget 2025-26 launch extension part 2. The Premier's Office approved the invoice for payment on 11 June 2025	25 June 2025

The conventions apply to making decisions, not to their announcement. Accordingly, the conventions are not infringed where decisions made before the dissolution of the House are announced during the caretaker period. The timeframe from invoice received to payment is within normal Tasmanian Government processing timeframes.

Thank you for the opportunity to provide a submission to the Select Committee on Caretaker Conventions for its consideration.

Yours sincerely



Kathrine Morgan-Wicks PSM  
**Secretary**

15 May 2026



# **Guidelines on the Caretaker Conventions and the Operations of Government During Caretaker Period**

Tasmanian State Election 2025

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# 1 INTRODUCTION

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## What is the caretaker period?

- 1.1 The period between the dissolution or expiration of the House of Assembly and the appointment of a new Government is known as the caretaker period.
- 1.2 By convention, during the period preceding a general election for the House of Assembly, the Government assumes a caretaker role. The caretaker conventions support the principle of responsible government, recognising the Executive is not accountable to the Parliament in the usual way during the caretaker period.
- 1.3 The caretaker period recognises that:
  - with the expiration or dissolution of the House of Assembly, Executive Government cannot be held accountable to Parliament for its decisions in the normal manner
  - every general election carries the possibility of a change of government.
- 1.4 In general terms, the caretaker period begins at the time the House of Assembly is dissolved or expires and continues until the result of the election is clear, and if there is to be a change of government, until the new government is appointed.

## Notification of caretaker period and conventions

- 1.5 At the time of the dissolution or expiry of the House of Assembly, the Premier will write to Ministers advising them of their role as the caretaker government and providing them with a copy of these Guidelines.
- 1.6 The Secretary, Department of Premier and Cabinet, will write to all Tasmanian Heads of Agency advising them of the start of the caretaker period and that the caretaker conventions are to apply to all agency activities. A letter will also be sent to all Government Business Enterprises, State-owned Companies and other statutory entities advising them of their obligations during the caretaker period.

- 1.7 At the end of the caretaker period, the Secretary, Department of Premier and Cabinet, will write to all Tasmanian Heads of Agency, Government Business Enterprises, State-owned Companies, and other statutory entities advising them the caretaker conventions no longer apply.

### **The caretaker conventions**

- 1.8 During the caretaker period, the business of government and ordinary matters of administration continue. The role of government agencies remains unchanged; the provision of all normal services should continue and statutory responsibilities are not affected.
- 1.9 Successive governments have followed a set of practices, known as the caretaker conventions, which aim to ensure their actions do not inappropriately bind an incoming government and limit its freedom of action.
- 1.10 While government business continues, as it applies to ordinary matters of administration, the caretaker conventions do affect some aspects of Executive Government. In summary, the conventions are that the Government avoids:
- making major policy decisions that are likely to commit an incoming government or limit its freedom to act
  - making or renewing significant appointments
  - entering into major contracts or agreements, or approving a major variation or termination of a major contract.
- 1.11 There are also established conventions and practices associated with the caretaker conventions that are directed at:
- protecting the apolitical nature of the State Service<sup>1</sup>
  - preventing controversies about the role and work of the State Service during an election campaign
  - avoiding the use of government resources in a manner to advantage a particular party.
- 1.12 These Guidelines are intended to explain the conventions and practices in more detail and to provide guidance for the handling of business during the caretaker period. The conventions are neither legally binding nor hard and fast rules. Their application in individual cases requires sound judgement and common sense.

1.13 The Secretary, Department of Premier and Cabinet, is able to provide information and advice to agencies, Government Business Enterprises and State-owned Companies, but responsibility for observing the conventions rests with Heads of Agencies, Chief Executive Officers and Board Chairs of Government Business Enterprises and State-owned Companies and, in matters where they are involved, with the relevant Ministers.

### **Application of the Guidelines**

1.14 The Guidelines in this document apply to all Tasmanian Government Ministers, Ministerial staff and all employees and officers of Tasmanian State Service agencies<sup>2</sup>.

1.15 The relationship between Ministers and bodies that are not agencies under the *State Service Act 2000*, such as Government Business Enterprises and State-owned Companies, varies from body to body. However, those bodies should observe the caretaker conventions and practices unless doing so would conflict with their legal obligations or compelling commercial/organisational requirements. The Secretary, Department of Premier and Cabinet, will write to the heads of these bodies advising them of the guidelines and the start of the caretaker period and that the caretaker conventions apply to their organisation.

### **Enquiries and Contacts**

1.1 To ensure consistent application of the Guidelines, agencies should appoint a senior officer to be the initial contact for caretaker enquiries.

1.2 Enquiries about the application of caretaker conventions should be directed, in the first instance, to appointed contact officers within agencies.

1.3 If further advice is required in relation to particular issues that arise during the caretaker period, queries should be directed to the Director Office of the Secretary, Department of Premier and Cabinet, by email at [caretaker@dpac.tas.gov.au](mailto:caretaker@dpac.tas.gov.au)

1.4 Requests for legal advice should be directed to the Department of Premier and Cabinet by email at [caretaker@dpac.tas.gov.au](mailto:caretaker@dpac.tas.gov.au) in the first instance who will coordinate requests with the Office of the Solicitor-General as required.

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<sup>1</sup> Section 6 of the *State Service Act 2000* specifies that the State Service consists of Heads of Agencies, holders of prescribed offices, senior executives and employees.

<sup>2</sup> 'Agency' means a Government department or a State authority specified in Column 1 of Schedule 1 of the *State Service Act 2000* and other entities as listed in Section 13 of these Guidelines.

## 2 MAJOR POLICY DECISIONS

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- 2.1 Governments should avoid making and implementing major policy decisions during the caretaker period that are likely to commit an incoming government or limit its freedom to act.
- 2.2 Whether a particular policy decision qualifies as 'major' is a matter for judgement. Relevant considerations include:
  - the significance of the commitment in terms of policy and resources
  - whether the decision is a matter of contention between the Government and non-Government parties in the election campaign.
- 2.3 The conventions apply to the timing of the making of decisions that are likely to commit an incoming government, not to their announcement. Accordingly, the conventions are not necessarily contravened where decisions made before the calling of an election are announced during the caretaker period. Where possible, decisions about policies that have been agreed but not made public should be announced ahead of the caretaker period if their announcement is likely to cause controversy during the election campaign.
- 2.4 The conventions do not apply to promises on future policies that the party in government announces as part of its election campaign.
- 2.5 If circumstances require the Government to make a major policy decision during the caretaker period that would bind an incoming government, the relevant Minister, after agreement with the Premier, would usually consult the relevant Opposition<sup>3</sup> spokesperson(s) beforehand. The requirement to consult does not require the Government to obtain the endorsement of non-Government parties.

## Operational note

- a Consultation by non-government parties or Members of Parliament with departmental officers must only occur with the express authorisation of the Premier. If a non-government party member or employee makes direct contact with an agency they should be referred to the Premier's Chief of Staff. Section 11 provides more information about consultation with non-government parties.

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<sup>3</sup> In this document, the "Opposition" is the largest minority party within the Parliament during the Caretaker period, willing to assume office in the event of a change of government either after an election or as a result of a loss of support for the Government in the House of Assembly. For more details see: [Premier and Leader of the Opposition | Parliament of Tasmania](#).

## 3 SIGNIFICANT APPOINTMENTS

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- 3.1 Governments should defer making significant appointments during the caretaker period. As a rule, any significant appointments to start after election day would not be offered in the caretaker period.
- 3.2 Significant appointments to be offered and made after the date of dissolution or expiry are deferred until after the election. Finalisation of selection processes that have started but not completed should also be deferred until after the caretaker period.
- 3.3 In considering whether an appointment qualifies as 'significant', the agency should consult with the Head of the State Service, and consider:
- the importance of the position
  - whether the proposed appointment would likely to be controversial.
- 3.4 If deferring an appointment is impracticable, usually for continuity purposes or reasons associated with the proper functioning of an agency, or due to meeting contractual obligations, there are several options:
- an acting appointment can be made where permissible<sup>4</sup>
  - a short-term appointment can be made until shortly after the end of the caretaker period<sup>5</sup>
  - if those options are not practical, a full-term appointment can be made and the relevant Minister, after agreement with the Premier, could consult with the relevant Opposition spokesperson in such circumstances.
- 3.5 Governments should also defer making appointments to boards and committees during the caretaker period. If a board or committee experiencing a vacancy is able to operate legally and effectively with a quorum during the period, they should be encouraged to do so without the need for any new appointment.

## Operational notes

- a Significant appointments will generally include those for heads or deputy heads of an agency, the head of a division or branch whose activities are deemed sensitive, members of statutory bodies and statutory office holders.
- b Offers of consecutive appointments for senior departmental officers are to be made in accordance with contractual obligations and are usually made at least six months, and no less than three months, prior to the expiry of an appointment. At the time an offer of consecutive appointment is made it is accompanied by a proposed instrument of appointment which is the basis of the new appointment. The offer and acceptance at this time constitutes a contractual arrangement to make the appointment.

Instruments of appointment for consecutive appointments that have been accepted, but which are due to start in the caretaker period, should be signed by the relevant delegate or submitted to Executive Council, as is appropriate, prior to the commencement of the caretaker period.

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4 Agencies should also check that contractual arrangements are in accordance with Section 21A of the *Tasmanian Acts Interpretation Act 1931*.

5 Agencies should also check that contractual arrangements are in accordance with Section 21A of the *Tasmanian Acts Interpretation Act 1931*.

## 4 MAJOR CONTRACTS AND AGREEMENTS

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- 4.1 Governments should avoid entering into major contracts or undertakings, approving major variations to or termination of major contracts, or undertakings during the caretaker period. This includes commitments and undertakings that could bind an incoming government.
- 4.2 When considering whether a contract or undertaking or variation qualifies as ‘major’, agencies should consider:
- the monetary value of the commitment
  - whether the commitment involves a routine matter of administration or if it implements or entrenches a policy, program or administrative structure which is politically contentious
  - whether the commitment requires ministerial approval, or would usually be disclosed to a Minister given the commitment’s significance or materiality to the operation of the agency or Government Business Enterprise or State-owned Company
- 4.3 If it is not possible to defer the commitment until after the caretaker period, for legal, commercial or other reasons:
- the Minister, after agreement with the Premier, should consult the relevant Opposition spokesperson regarding the commitment
  - agencies should also ensure new contracts entered into during the caretaker period include clauses providing for termination in the event of an incoming government not wishing to proceed.
- 4.4 Similarly, in the case of outstanding tender processes, agencies should inform potential tenderers about the implications of the election and the possibility that the tender might not be completed. If possible, new tender processes should not commence during the caretaker period.
- 4.5 The convention that the Government avoids entering into major commitments during the caretaker period extends to intergovernmental negotiations and agreements. The Government ordinarily seeks to defer such negotiations or adopts observer status until the end of the caretaker period.

- 4.6 If deferring involvement or adopting observer status is not feasible, the Government representatives should, if possible, limit their role to providing information on the Government's past position, without committing the incoming government to that position.
- 4.7 If it is necessary for the Government to participate fully in the negotiations, it should advise the other parties to the negotiations that any outcomes will need to be authorised by the incoming government, or it could seek from the relevant Opposition spokesperson's agreement on negotiating positions.

### **Operational notes**

- a Where contracts have been entered into prior to the caretaker period, further agreements can be entered into during that period if:
- these are subsidiary to that 'head contract', relating to matters already proceeding
  - penalties may be incurred for breach if further agreements are not entered into.
- b Generally, during the caretaker period, agency officials should attend meetings of ministerial councils and committees rather than Ministers or other members of Parliament.

# 5 CABINET AND EXECUTIVE COUNCIL

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## Matters during caretaker period

- 5.1 The meetings of Cabinet and the Executive Council generally cease during the caretaker period and do not resume until the new government is formed (following the return of the writs).
- 5.2 If Cabinet does meet, any deliberations will be subject to the caretaker conventions.

## Executive Council

- 5.3 It is usual for the Executive Council to meet immediately before the commencement of the caretaker period to approve any outstanding proposed regulations and other statutory rules if possible.
- 5.4 In exceptional circumstances, the Executive Council may convene during the caretaker period to handle urgent, non-controversial matters such as the remaking of regulations before they expire or urgent statutory appointments.

## Cabinet documentation

- 5.5 Successive governments have accepted the convention that Ministers do not seek access to documents recording the deliberations of Ministers in previous governments. Cabinet documents, in particular, are considered confidential to the government that created them. In this context, if there is a change of government at an election, departments should return all official Cabinet documents to the custody of the Cabinet and Executive Council Office in the Department of Premier and Cabinet.
- 5.6 Official Cabinet records include the originals of Cabinet Agendas, Cabinet Minutes, Cabinet Briefings and Cabinet Decisions.
- 5.7 The custodian of official Cabinet records is the Manager, Cabinet and Executive Council Office. The Cabinet Office is responsible for maintaining and archiving a complete set of original documents, and can arrange access to any material required to ensure continuity of Government business.

- 5.8 Cabinet documents remain the property of the Crown, and by convention all copies are destroyed at the end of the term of existing government or when a person ceases to be a Minister. Documents may be returned to the Cabinet Office for destruction. This ensures appropriate security arrangements are observed for Cabinet documents.
- 5.9 At the start of Caretaker period, the Secretary, Department of Premier and Cabinet, will issue a circular directing all Ministers, Ministerial Offices, and State Service Departments/Agencies to return to the Cabinet Office any copies they may still hold of official Cabinet records.
- 5.10 Written confirmation of the destruction, or return to the Cabinet Office, of **all copies** of Cabinet documents should be provided to the Secretary, Department of Premier and Cabinet, prior to the declaration of the polls.
- 5.11 In the event that the existing Government is returned, the copies will be returned to the relevant offices and agencies as required.
- 5.12 The Manager, Cabinet and Executive Council Office issues further procedural guidelines on the handling of Cabinet documents once the result of the election is known.

## 6 ONGOING WORK OF AGENCIES

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- 6.1 During the caretaker period, Executive Government continues to operate and Ministers remain in authority. Agencies continue to operate during the caretaker period, dealing with the ordinary business of government.
- 6.2 While agencies avoid political partisanship at all times, the circumstances of an election campaign require special attention to the need to ensure the impartiality and apolitical nature of the State Service, and its continuing ability to serve whatever government is elected.
- 6.3 If there is any doubt about whether agency work constitutes a 'political matter', the Head of Agency may seek advice from the Secretary, Department of Premier and Cabinet, by email at [secretary@dpac.tas.gov.au](mailto:secretary@dpac.tas.gov.au)

### **Requests from Ministerial Offices for information**

- 6.4 Material relating to the day-to-day business of government is supplied to Ministers in the usual way. Ministers are entitled to request, and should continue to be provided with, factual material. The purpose to which such material is put is for Ministers to determine. However, if it is clear that the information will be used for party-political purposes it should be declined.
- 6.5 It may be appropriate for an agency to decline a request for information if it requires the use of significant resources or is clearly for use as part of the election campaign (for example, requests for information to be used in Ministerial speeches or event briefs). If in doubt, the Head of Agency should discuss with the Minister or his/her senior staff the purpose for which the material is to be used.
- 6.6 In most instances, agencies should decline requests for policy advice during the caretaker period. There might, however, be urgent issues that require the provision of policy advice to Ministers to allow responsible ongoing administration or to protect the State's interests and to enable the Government to respond appropriately in the public interest.
- 6.7 Requests for legal advice on issues affecting the Minister in his or her capacity as a candidate should be declined.

- 6.8 Agencies can proceed with policy development work during the caretaker period so that they are in a position to provide advice to the incoming government, provided that contact with Ministerial Offices is not required.

### **Legislation**

- 6.9 Bills that have passed both Houses of Parliament should, if practical, be assented to by the Governor before the dissolution or expiry of the House of Assembly, but may lawfully be assented to subsequently.
- 6.10 Legislation can be proclaimed during the caretaker period but, other than in exceptional circumstances, proclamations that have a commencement date after the date of the election are not made.

### **Correspondence**

- 6.11 Once the caretaker period starts, Ministers will usually avoid signing non-essential correspondence.
- 6.12 Correspondence may be attended to by agencies in the usual way. When preparing replies, care should be taken to protect the State Service from any perception of partisanship.
- 6.13 Some correspondence that would ordinarily be signed by Ministers may need to be prepared for signature by the Head of Agency, rather than be left to accumulate. Judgement is necessary in determining whether significant correspondence should be signed by the Minister or the Head of Agency. Whatever the decision, the caretaker conventions apply.

### **Operational notes**

- a Although Ministers may continue to sign correspondence, the time they have available for this during the election campaign will be limited. In any event, Ministers would usually sign only essential correspondence that is necessary for day-to-day government service delivery and administration.
- b The general principle is that correspondence should be answered rather than left to accumulate. In cases where no issue of policy arises, for example in relation to the preparation of replies to routine incoming correspondence, departmental replies for signature by the Head of Agency should be prepared.

- c Replies should not assume the Government will or will not be returned to office. Any reference to post election action should be in terms of the ‘incoming government’. It may be appropriate in some cases to include the following:

“The Government is currently operating in caretaker mode. The matter you raise will be referred to the incoming government.”
- d Letters requiring explanation of current policy should be answered without committing a government to post election action.
- e To avoid confusion, and as a matter of courtesy, members of the House of Assembly who are standing for re-election should continue to be addressed as MP until they resign. Newly elected members should be addressed as MP as soon as they are sworn in.
- f Members who are not standing for re-election should not be addressed as MP following the dissolution of the House of Assembly<sup>6</sup>.

## **Grants**

- 6.14 The payment of grants which were approved prior to the caretaker period can proceed but should be forwarded to the grant recipient by the relevant agency rather than by a Minister or another member of the Government.
- 6.15 During the caretaker period, commitments should not be made in respect of grant applications received during the period or which were lodged before commencement of the period but are awaiting decision.

## **Tabling of and Responses to Reports**

- 6.16 Responses to outstanding Parliamentary committee reports should be taken up with the incoming government. Agencies may, however, undertake appropriate preparatory work so that they are in a position to provide early advice to the incoming government.
- 6.17 Reports of an administrative nature, such as annual reports, can be delivered during the caretaker period. However, where a report contains information that is likely to be controversial, consideration should be given to whether delivery should be deferred until after the caretaker period.

6.18 Agencies should seek advice from the Office of the Solicitor-General if there are statutory timeframes that need to be considered during the caretaker period.

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6 There are special conventions for the use of the prefix Honourable. See: [Honourable - Use of the title | Parliament of Tasmania](#).

# 7 AVOIDING INVOLVEMENT OF AGENCIES IN ELECTION ACTIVITIES

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## Political participation by Tasmanian State Service employees and officers

- 7.1 Agency staff have the same rights as other members of the community to engage in the political process, including political dialogue online, except where these activities impact adversely on their ability to perform their official duties to the standard required under the State Service Act and/or place them in conflict with the general obligations as Tasmanian State Service employees and officers.
- 7.2 The State Service Principles in the *State Service Act 2000* assert that the 'State Service is apolitical, performing its functions in an impartial, ethical and professional manner'.
- 7.3 The State Service Code of Conduct requires agency employees and officers to:
- behave in a way that upholds the State Service Principles
  - behave in a way that does not adversely affect the integrity and good reputation of the State Service
  - maintain confidentiality about dealings and information acquired in the course of employment
  - disclose and take reasonable steps to avoid conflicts of interest in connection with State Service employment
  - use Tasmanian Government resources in a proper manner.
- 7.4 It is important for all State Service employees and officers to consider their responsibilities before making any public commentary. You need to be aware of your responsibilities that limit your ability to participate in discussions, this includes social media and in particular when using State Service-issued accounts or devices.
- 7.5 At no time should Tasmanian State Service employees and officers (other than those formally seconded to Ministerial, parliamentary or electorate offices) engage in activities of a political nature while on duty. Extra care is required during the caretaker period to ensure impartiality. The specific requirements relating to Departmental Liaison Officers (DLOs) are provided in the following section.

## Departmental Liaison Officers

- 7.6 Where DLOs have been provided by agencies to assist Ministerial Offices with necessary liaison work with agencies, the need for that work should be reviewed at the commencement of the caretaker period.
- 7.7 DLOs are Tasmanian State Service employees and, in accordance with the State Service Principles outlined in the *State Service Act 2000*, are apolitical. DLOs should return to their home agency unless there is ongoing work of a liaison nature during the caretaker period and agreement is reached between the Head of Agency and the Minister's Office. DLOs must not assist, or participate in, Ministers' political activities.

## Operational notes

- a Tasmanian State Service employees and officers need to exercise judgement if they are scheduled to speak at public functions during the caretaker period. In the case of controversial issues, Tasmanian State Service employees and officers should decline invitations to speak in the first instance. However, if they do accept, they should explain to the organiser that the Government is in caretaker mode and that their presentation will be limited to factual issues and matters of administration. State Service employees and officers should avoid publicly explaining or promoting policies during the caretaker period.
- b Where a Head of Agency is concerned that there may be, or may appear to be, a conflict between an employee's duties and his or her involvement in political activities, the issue should be discussed with the employee.

Individual circumstances including the classification of the employee; his or her capacity to influence government decision-making; the extent to which he or she deals directly with Ministers and other Members of Parliament; and the extent to which they represent the Government in public will be relevant considerations in the settling of an appropriate course of action.

- c Other matters for discussion could include the:
- extent to which the intended behaviour impairs the employee's ability to exercise impartial decision-making or maintain public confidence in the integrity, impartiality and neutrality of the State Service

- extent to which the intended behaviour might involve the use of information obtained through official duties or amount to unauthorised public comment
- use of any official facilities, state-issued equipment or vehicles, including the Tasmanian State Service employee's and officer's time during work hours.

## Contesting elections

- 7.8 Employees and officers wishing to contest the State election should review '*Practices, Procedures and Standards No. 3 – Contesting Federal, State and Local Government Elections*' issued by the Deputy Secretary, State Service Management Office in the Department of Premier and Cabinet.
- 7.9 See also Section 11 – Consultation between non-Government Parties and agency staff.

## Communications

- 7.10 Agencies should carefully monitor their communications activity during the caretaker period to ensure the material:
- is of public interest
  - relates only to the day-to-day business of the agency
  - cannot reasonably be construed as being for political purposes.
- 7.11 Some communications during the caretaker period are regulated by legislation, including:
- the Tasmanian *Electoral Act 2004* (Division 5 of Part 7), which deals with advertising and other campaign material
  - the Tasmanian *Charter of Budget Responsibility Act 2007*
  - the Commonwealth *Broadcasting Services Act 1992* (Section 42 and Schedule 2), which deals with radio and television broadcasts
  - The Broadcasting Services Act defines 'political matter'. Very broadly, to be deemed a political matter, the matter must, when viewed objectively, be able to be characterised as participation in the political process or as an attempt to influence or comment upon that process.<sup>8</sup> An advertisement dealing with an issue that falls within this broad definition of political matter must comply with the provisions of the Broadcasting Services Act.

## Operational notes

- a Prior to the likely start of the caretaker period, agencies should review all communications material that is likely to be running during the caretaker period, to assess the appropriateness of content of current material and introduce guidelines for future material. Communications material to review includes:
  - advertising campaigns, including radio, print, television and online
  - online platforms, including websites, intranets and third-party platforms such as social media
  - other publications.
- b Campaigns can continue if they are:
  - operational in nature, such as public health or road safety campaigns
  - appropriately authorised in accordance with legislation (see 7.10).
- c Material that is considered operational should not include photographs of and/or political statements by a Minister. Passive distribution of material, such as continued placement in the agency's offices or distribution in response to requests, is acceptable.

## Advertising and information campaigns

7.12 During the caretaker period Tasmanian Government campaigns should not:

- promote the policies or achievements of the Government
- highlight the role of particular Ministers
- relate to issues that are a matter of contention between the Government and non-Government parties.

7.13 Some communications during the caretaker period are regulated by legislation. In broad terms, legislation (see 7.10) requires any advertisement or literature actively distributed during an election campaign to identify the person who authorised the materials and name and address of the printers.

## Operational notes

- a. Tasmanian Government television and radio advertisements are always required to conclude with the authorisation statement:

**Authorised by the Tasmanian Government, Hobart.**

During the caretaker period, authorisations must also acknowledge the speaker:

**Spoken by [name speakers individually].**

Agencies should consider applying similar authorisations to press advertising and new printed material to be published and distributed during the caretaker period.

## Acknowledgement of Government support or sponsorship

- 7.14 During the caretaker period, Tasmanian Government support or sponsorship may be provided to events or programs operational in nature.
- 7.15 The Tasmanian Government should not provide support to programs or events that:
  - promote the policies or achievements of the Government
  - highlight the role of particular Ministers
  - relate to issues that are a matter of contention between the Government and non-Government parties.

## Operational notes

- a. The application of the caretaker conventions to communication materials that are produced by third parties but supported, sponsored or endorsed by State Service agencies should be considered on a case-by-case basis.
- b. Agencies should take into account the terms and conditions of State Service agency support and whether the agency has any control or influence over the content and functions of the communications. If necessary, an agency could request the Government logo or other indication of support be removed for the duration of the caretaker period.

## Online and electronic communications

- 7.16 Online platforms, social media platforms or other electronic communications either hosted or managed by agencies, should remain apolitical during a caretaker period.
- 7.17 As a general rule, during the caretaker period ministerial media releases and alerts should be placed on the website of the relevant political party.

### Operational notes – agency-managed websites

- a. Prior to the likely start of the caretaker period, agencies should review all agency-managed websites, online and social media platforms to identify any material that requires removal upon the commencement of the caretaker period.
- b. Agencies should check the wording of any icons and links on their online platforms to ensure that they cannot be interpreted as promoting a government policy or achievement. It is also recommended that profiles of Ministers be removed.
- c. If agency platforms contain links to sites outside the [www.tas.gov.au](http://www.tas.gov.au) domain with political content, agencies should consider the need for entry/exit messages, such as:  

“You are now leaving the website of [X]. The website you are entering is not maintained or funded by the Tasmanian Government.”
- d. On agency-managed social media platforms, any likes or follows that link to political candidates, members or sites, should be removed.
- e. In most cases, agency-managed online platforms may retain material placed on them before the commencement of the caretaker period.
- f. Agencies should only add the following material to their platforms during the caretaker period:
  - portfolio-related announcements, if that is the usual practice. This will require judgement within each agency, but, as an example, a ministerial press release relating to a public health warning might appropriately be added
  - agency-related announcements of a routine, apolitical nature if that is the usual practice (e.g. bushfire safety message)
  - purely factual material
  - information on existing policies and programs, unless the information includes attacks on non-government parties or members or other

political material.

- g. Agencies should not add to the platform any material that contains, or links to, political material, such as:
- ministerial announcements relating to election promises (including media releases)
  - any political information, including information that contains attacks on non-government parties or members, or other political material
  - information that contains links to political material or pages.

### **Operational notes – Ministerial platforms**

- a. In the case of Ministerial platforms that are maintained by agencies, agencies may continue to maintain or fund the maintenance of the website during the caretaker period if that was the practice prior to the caretaker period.
- b. Material placed on the Minister’s platform before the caretaker period may be retained, as may links between the Minister’s and agency’s websites.
- c. Agency staff should only add to Ministerial platforms material relating to matters of existing policy or purely factual material. They should not add material that could be construed as being political, including material concerning future policies, election commitments or issues, how-to-vote material or media releases and speeches that criticise non-government parties or members, or promote the Government.
- d. If an agency-maintained/funded ministerial website contains links to sites outside the tas.gov.au domain, such as political party websites or social media accounts or personal Ministerial platforms, the links should be removed or an appropriate entry/exit message included. Messages could be along the lines of:
- “You are now leaving the website of [X]. The website you are entering is not maintained or funded by the Tasmanian Government.”

## **Operational notes – online moderation**

- a. Where the functionality of online platforms or social media pages allows comment, debate or promotion of opinions, agencies should consider the following measures, using judgement to decide what is appropriate for a particular page:
  - allowing comments with a moderating statement that advises that the Government is in a caretaker role and that any political comments or material will be deleted
  - disabling comments and not posting new material during the caretaker period
  - limiting comment functionality, pre-moderating comments before publishing or closer monitoring of public contributions.
- b. If functions are disabled or minimised, a statement should be included that advises of the Government’s caretaker role, and of the measures taken on the platform to limit political activity. For example:

“The Tasmanian Government has assumed a caretaker role in the lead up to election for the Tasmanian House of Assembly. During this time Tasmanian Government resources are not used to communicate political material. As such, this website/function is unavailable/will be moderated from the beginning of the Caretaker Period until after the election to ensure political material is not placed on the site.”

## **Media statements**

- 7.1 Media statements issued by agencies during a caretaker period should only relate to the day-to-day business of the agency or legislative requirements and must only contain factual information.
- 7.2 Media statements and responses to media queries issued by agencies during a caretaker period do not require formal approval by Ministerial Offices, however, should be provided to the Tasmanian Government Communications Office for information.

## **Use of agency resources and premises**

- 7.1 Agency employees and others must not use agency resources or their positions to support particular issues or parties during the election campaign.
- 7.2 Use of government email, faxes or other electronic systems to publish or distribute political material may be a breach of the State Service Code of Conduct.
- 7.3 Material from political parties and how-to-vote material, whether

produced by a political party or any other organisation, must not be displayed within the precincts of government buildings, or on other Crown property or vehicles. This includes Electorate Offices, where displaying posters and other political campaign material promoting the incumbent candidate is not permitted.

- 7.4 Government premises that are normally open to the public may be used as the backdrop for political advertising or policy material by government and non-government parties (e.g. photography or filming) provided that no official resources are used, operations of the site are not unreasonably impacted and employees/officers are not involved.
- 7.5 In the case of official functions involving the use of agency resources, it would generally be appropriate for any relevant non-Government party spokespersons to be given the opportunity to be present.
- 7.6 Ministerial visits to agencies for meetings or other consultation would be consistent with the conduct of routine government business, in accordance with the caretaker conventions.

### **Operational notes**

- a. The approval for the use of any premises by political parties for public events rests with the relevant Head of Agency. If unsure about a request, staff should discuss with the appropriate Head of Agency.
- b. While responsible use of agency premises that are normally open to the public is acceptable by all parties campaigning in an election, it is most important during an election campaign that:
  - State Service employees and others not become involved in party political activity during a visit to Government facilities
  - the impartiality of agency employees is not compromised through their appearance in party political material, such as in photos and vision. The wearing of uniforms or other identifying material should not occur
  - State Service employees and others are not engaged in political dialogue
  - State Service employees and others are not used for logistical support for political functions.

## 8 CHARTER OF BUDGET RESPONSIBILITY

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- 8.1 The costing of Government and Opposition parties<sup>9</sup> policies by the Department of Treasury and Finance is regulated by the *Charter of Budget Responsibility Act 2007*.
- 8.2 The Secretary, Department of Treasury and Finance, issues detailed Guidelines for Costing Election Policies in accordance with the requirements of the *Charter of Budget Responsibility Act*.
- 8.3 The Charter provides a framework to improve fiscal policy outcomes by requiring, amongst other things, a process for costing the election policies of parties represented in the House of Assembly.
- 8.4 During the caretaker period,<sup>10</sup> the Charter of Budget Responsibility Act provides for the Secretary, Department of Treasury and Finance to:
- prepare costings of publicly announced Government policies, at the request of the Premier
  - prepare costings of publicly announced Opposition party policies, at the request of the Leader of an Opposition party.

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<sup>9</sup> The Charter of Budget Responsibility Act refers to 'Opposition parties', for that reason this section refers to non-Government parties as 'Opposition parties'.

<sup>10</sup> The Charter of Budget Responsibility Act refers to the 'election costing period'. The 'election costing period' commences with the dissolution or expiry of the House of Assembly. However unlike the caretaker period, the election costing period ends with the close of polls.

# 9 AGENCY PREPARATIONS FOR AFTER THE ELECTION

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## Policy development

- 9.1 Agencies can, during the caretaker period, continue to work internally on proposals and policy development that could, if approved by the incoming government, be implemented after the election.
- 9.2 Particularly where a proposal is not controversial and is likely to proceed irrespective of the election outcome (for example, statutory reviews), agencies should take the necessary steps to ensure that they are in a position to advise the incoming government on the proposal and, if approval is given, to proceed to implement the proposal after the election.
- 9.3 Agencies should also prepare briefing papers and plans for the publicly announced policies and commitments made by the Government and the Opposition, to present, as appropriate, to incoming Ministers after the election.

## Incoming Government briefings

- 9.4 It is usual during the caretaker period for agencies to prepare briefing material for an incoming Premier on their composition, administration and major current issues. The Deputy Secretary, Policy and Reform, Department of Premier and Cabinet, coordinates these briefings from a whole-of-government perspective.
- 9.5 Agencies should also prepare portfolio specific briefings for their new Minister, including the election commitment briefings (refer to 9.3).

# 10 OTHER MATTERS

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## Financial entitlements

- 10.1 During the caretaker period, agency provision of entitlements for Ministers and their staff should be assessed on a case-by-case basis. Agencies should not cover claims relating to the election campaign or a political event, as these costs are to be borne by the respective political party. Examples of claims that would not be covered include requests for additional laptop computers or mobile telephones for Ministers or their staff unless there was a demonstrable official purpose.
- 10.2 Claims relating to the management of essential government business can be covered in the normal way, for example, primarily in connection with their Ministerial duties.
- 10.3 In the case of claims that cover a combination of government and political business, partial reimbursement can be granted to cover government activities.
- 10.4 Ministers should not claim their away from home travelling allowance from the day Parliament is prorogued to the day after polling day unless the travel is predominantly for a Ministerial duty.

## Ministerial vehicles

- 10.5 Use of Ministerial cars will remain available during the caretaker period for official purposes but not for private use.

## State visits

- 10.6 The Premier will, if necessary, determine whether visits by foreign dignitaries involving government hospitality should proceed during the caretaker period. In any case, dignitaries whose visits are scheduled for the caretaker period or shortly afterwards should be advised of the election announcement and any changes in arrangements, including the reduced availability of Ministers and the possibility of a change of government.
- 10.7 Details of any requests for official visits should be directed to the Department of Premier and Cabinet via [protocol@dpac.tas.gov.au](mailto:protocol@dpac.tas.gov.au)

## Ministerial Office records

- 10.8 Originals of agency records including Minutes, Briefings, reports, advice and correspondence which have been forwarded to a Minister should be returned to the agency. All other records held in a Minister's Office that relate to the functioning and exercise of the Ministerial Office are subject to the *Archives Act 1983* and should be disposed of under [Disposal Authorisation No. 2339 – Functional records of Ministers of the Crown](#). This does not include private personal records, party-political records or records that a Minister or Parliamentary Secretary may hold in their capacity as a Member of the House of Assembly or Legislative Council.
- 10.9 At the start of the caretaker period, the Secretary, Department of Premier and Cabinet, will issue a circular directing all Ministerial Offices, and State Service agencies (see section 13) to follow proper record management procedures to ensure agency records are retrieved and/or destroyed as appropriate.
- 10.10 Physical copying of agency records, or retention of records through electronic means, is strictly prohibited.
- 10.11 These directions also apply to drafts and unsigned Cabinet documents provided by agencies to Ministerial Offices.
- 10.12 Details about the management and disposal of state government records are prescribed under the *Archives Act 1983* and in the Tasmanian Archive and Heritage Office's *Disposal Authorisation No. 2339*.
- 10.13 Under the *Disposal Authorisation No. 2339*, copies of agency records held in the Minister's Office include the following:
- correspondence that is referred to the agency for action
  - copies of replies to correspondence prepared by agency staff
  - replies to Parliamentary Questions, including background and other briefing notes, prepared for the Minister by agency staff
  - briefing notes prepared by the agency on the request of the Minister for purposes other than submission to Cabinet.

10.14 The records management branches of agencies are responsible for retrieving and destroying relevant records from their relevant Ministers and Parliamentary Secretaries. For matters specifically relating to official Cabinet Records, please refer to Section 5, Cabinet and Executive Council Matters during the Caretaker Period.

10.15 Further advice on Ministerial records management can be sought from the Manager, Records and Information Management, Department of Premier and Cabinet.

# 11 CONSULTATION BETWEEN NON-GOVERNMENT PARTIES AND AGENCY STAFF

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- 11.1 Consultation between Heads of Agencies and non-government parties may occur during the caretaker period under strictly controlled conditions.
- 11.2 Leaders of non-government parties may make a request for consultation with agency staff through the Premier. Approval may be given by the Premier for non-government party representatives to have discussions with appropriate agency staff. Agency staff should not involve themselves in these discussions unless approval has been given by the Premier.
- 11.3 A non-government representative may have other Members of Parliament or staff present at such meetings. A Head of Agency or his/her representative may have other Tasmanian State Service employees and officers present. It is not appropriate for Ministerial Office staff to be present.
- 11.4 The request for consultation is to be at the initiative of the non-government parties, not Tasmanian State Service employees and officers. The Head of Agency is to ensure their Ministers are informed when the discussions are taking place. Heads of Agencies are to ensure Tasmanian State Service employees and officers authorised to conduct or attend briefings have a proper understanding of the matters likely to be raised at such briefings.
- 11.5 Tasmanian State Service employees and officers are not authorised to discuss the Government's policies or to give opinions on matters of a party-political nature. The subject matter of the discussions should relate to the machinery of government and administration. The discussions may include the administrative and technical practicalities and procedures involved in implementation of policies proposed by the non-government parties. If the non-government representatives raise matters which, in the judgement of the agency staff, seek information on the Government's policies or expressions of opinion on alternative policies, the Tasmanian State Service employees and officers are to suggest that these matters be raised with the relevant Minister or the Premier.

11.6 The detailed substance of the discussions will remain confidential, but Ministers will be entitled to seek general information from Tasmanian State Service employees and officers on whether the discussions kept within agreed purposes and these Guidelines.

# 12 RELEVANT LEGISLATION AND ASSOCIATED DOCUMENTS

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## Tasmanian legislation

- *Archives Act 1983*
  - Disposal Authorisation No. 2339 – Disposal Schedule for Functional Records of Ministers of the Crown
  - State Records Guideline No. 9 – Managing Ministerial Records
- *Constitution Act 1934*
- *Charter of Budget Responsibility Act 2007*
- *Electoral Act 2004*
- *State Service Act 2000*
  - Practices, Procedures and Standards No. 3 – Contesting Federal, State and Local Government Elections

## Commonwealth legislation

- *Broadcasting Services Act 1992*

# 13 LIST OF STATE SERVICE AGENCIES

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## **Government Departments**

- Department for Education, Children and Young People
- Department of Health
- Department of Justice
- Department of Police, Fire and Emergency Management
- Department of Premier and Cabinet
- Department of Natural Resources and Environment Tasmania
- Department of State Growth
- Department of Treasury and Finance
- Tasmanian Audit Office

## **State Authorities**

- Brand Tasmania
- Environment Protection Authority
- Homes Tasmania
- Integrity Commission
- Macquarie Point Development Corporation
- Port Arthur Historic Site Management Authority
- Tasmanian Dairy Industry Authority
- The Public Trustee
- Tourism Tasmania

## **Government Business Enterprises (GBE), State-owned Companies (SOC) and other Statutory Entities**

- Aurora Energy Pty Ltd
- Hydro Tasmania
- Inland Fisheries Service
- Marine and Safety Tasmania
- Metro Tasmania Pty Ltd
- Motor Accidents Insurance Board
- Port Arthur Historic Site Management Authority
- Royal Botanical Gardens
- Stadiums Tasmania
- State Fire Commission
- Sustainable Timber Tasmania
- Tasmanian Irrigation Pty Ltd
- Tasmanian Networks Pty Ltd
- Tasmanian Ports Corporation Pty Ltd
- Tasmanian Public Finance Corporation
- Tasmanian Railway Pty Ltd
- Tasracing Pty Ltd
- TasTAFE
- The Public Trustee
- TT-Line Company Pty Ltd

## 14 Support

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For any questions, please contact the Department of Premier and Cabinet on [caretaker@dpac.tas.gov.au](mailto:caretaker@dpac.tas.gov.au)

## Department of Premier and Cabinet

Executive Building 15 Murray Street HOBART TAS 7000 Australia  
GPO Box 123 HOBART TAS 7001 Australia  
Ph: 1300 135 513 Fax: (03) 6233 5685  
Web: www.dpac.tas.gov.au



Title First Name Last Name

Position

Agency

Email

Dear First Name

I am writing to confirm that the next State Election will be held on Saturday 19 July 2025.

By convention, the Government assumes a caretaker role at the dissolution of the House of Assembly, which occurred at 7pm on Wednesday 11 June 2025.

The caretaker period continues until the outcome of the election is clear or, in the event of a change of government, until the new government is appointed.

A fundamental principle is that the State Service remains apolitical, particularly during an election period.

### **Caretaker Conventions**

The special arrangements that apply during the Caretaker period are summarised in the enclosed *Guidelines on the Caretaker Conventions and the operations of government during the Caretaker period 2025* (the Caretaker Guidelines).

The Caretaker Guidelines explain the conventions and practices in more detail and provide guidance for handling business during the caretaker period. Although the Caretaker Conventions are not written in law, they aim to ensure that the Government of the day does not make significant decisions likely to bind an incoming government, such as:

- making major policy decisions;
- making significant appointments; and
- entering into major contracts or agreements, or approving a major variation or termination of a major contract.

Their application in individual cases requires sound judgement and common sense. As Secretary, DPAC I am available to provide information and advice to agencies, Government Business Enterprises and State-Owned Companies, but responsibility for observing the conventions rests with Heads of Agencies, Chief Executive Officers and Board Chairs of Government Business Enterprises and State-Owned Companies, and in matters where they are involved, the relevant Minister.

Training materials have been developed to support agencies during the caretaker period to make these decisions and these will be provided to your agency.

The Department of Premier and Cabinet (DPAC) will be the primary contact point across whole-of-government to provide support relating to the application of the caretaker conventions.

To assist DPAC and ensure consistent application of the Caretaker Guidelines, it is recommended that a senior officer within your department be nominated to be the departmental contact for caretaker enquiries. This person will assist in addressing questions from employees in accordance with the Caretaker Guidelines. Staff within your agency should be directed to talk to their manager or the departmental caretaker contact in the first instance.

DPAC will provide support to the departmental caretaker contacts on caretaker questions requiring further consideration and will share advice that has broader State Service implications. The departmental caretaker contacts will also provide an avenue for DPAC to deliver any urgent updates to agencies during the caretaker period. For complex questions, your departmental contact should contact DPAC for any advice and assistance by email at [caretaker@dpac.tas.gov.au](mailto:caretaker@dpac.tas.gov.au).

### **Responsibilities of State Service employees and officers**

I also draw your attention to the responsibilities of State Service employees and officers during the lead up to the Election. Any activities by State Service employees and officers in relation to these campaigns and the forthcoming election, or public statements by them generally, need to be considered in light of their obligations under the *State Service Act 2000* and State Service Regulations and any associated guidelines or directions.

The relevant provisions of the *State Service Act 2000* and in particular the State Service Principles and Code of Conduct that need to be taken into account include:

#### Section 7 - State Service Principles

- (1)(a) the State Service is apolitical, performing its functions in an impartial, ethical and professional manner.

#### Section 9 - State Service Code of Conduct

- (9) an employee must use Tasmanian Government resources in a proper manner.
- (11) an employee must not make improper use of:
  - a) information gained in the course of his or her employment; or
  - b) the employee's duties, status, power or authority -  
in order to gain, or seek to gain, a gift, benefit or advantage for the employee or for any other person.
- (13) an employee, when acting in the course of State Service employment, must behave in a way that upholds the State Service Principles.
- (14) an employee must at all times behave in a way that does not adversely affect the integrity and good reputation of the State Service.

In addition, employees and officers need to be mindful of employees' obligations under the State Service Code of Conduct (which references the State Service Principles), section 11 of the State Service Regulations (Public Statements by Officers and Employees), Employment Direction 12 (Internet and email use by State Service Officers and Employees) and any agency-approved or general social media policies.

There are similar provisions that apply to people employed under other Acts (for example the *Police Service Act 2003*). More detailed information about the management of communications by agencies more broadly is contained in the Caretaker Guidelines.

I note that Public Sector unions will engage in matters involving employment and workplace relations. Unions may choose to run campaigns and messages that are overtly political and/or perceived as political in that they support and/or oppose particular political parties and policies in this period. In either case, any participation of State Service employees and the use of agency facilities exposes those employees and agencies to criticism and leaves employees open to allegations that they may not have maintained their responsibilities to ensure the State Service is apolitical.

As you would appreciate, the distinction between employment-related matters and political involvement may not always be clear cut. This is particularly the case where employees are workplace delegates and/or hold union positions. However, the following actions by employees in campaign material are inappropriate:

- naming or identification of individual employees as public servants (i.e. wearing State Service uniforms or identifying as a Tasmanian State Service employee or officer);
- undertaking political activities in work time;
- using agency facilities, equipment or property for political activities;
- using agency resources for circulating political messages; and
- placing political posters (such as how to vote notices) on agency notice boards.

Should you or your agency require advice in relation to employee related matters, please contact Ms Amanda Russell, Deputy Secretary (State Service Management Office) by email at [REDACTED]

### **Election commitment reporting**

DPAC will coordinate the election commitment reporting process as has been the case in previous years. Agencies will be asked to contribute to this process and will be invited to participate in a briefing session in coming days, facilitated by Ms Mel Gray, Deputy Secretary, Policy and Reform. Agencies are asked that a senior officer within your department be appointed to be the departmental contact point for election commitment reporting processes.

DPAC will also convene a meeting of the Deputy Secretaries Policy and Intergovernmental Sub-Committee in the coming days to facilitate collective understanding of requirements for election commitment reporting.

Please provide the name and contact details of your **nominated departmental caretaker contact person** and your **nominated election commitment reporting process contact** to Ms Mel Brown, Acting Director, Office of the Secretary, DPAC by email to [caretaker@dpac.tas.gov.au](mailto:caretaker@dpac.tas.gov.au) by 10am on **Friday 13 June 2025**.

Yours sincerely

Kathrine Morgan-Wicks PSM  
**Secretary and Head of the State Service**  
June 2025  
Attachment – Caretaker Guidelines

## Department of Premier and Cabinet

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[Post Office Box OR Street Address]  
[TOWN] [STATE] [POSTCODE]  
[OR Email address]

Dear [First name]

I write to inform you that late yesterday the Governor accepted the Premier's request to prorogue the Parliament and to dissolve the House of Assembly, to enable a State Election to be held on Saturday 19 July 2025.

By convention, the Government assumes a caretaker role due to the dissolution of the House of Assembly. The caretaker period continues until the outcome of the election is clear or, in the event of a change of government, until the new government is appointed.

The conventions and practices have been developed primarily in the context of the relationship between Minister and their portfolio departments. Other bodies, such as Government Business Enterprises and State-Owned Companies, also observe the caretaker conventions and practices unless to do so would conflict with their legal obligations or compelling organisational requirements.

I draw your attention to the special arrangements summarised in the attached *Guidelines on the Caretaker Conventions and the operations of government during the Caretaker period 2025* (Caretaker Guidelines).

The Caretaker Guidelines explain the conventions and practices in more detail and provide guidance for handling business during the caretaker period. Their application in individual cases requires sound judgement and common sense.

It is important to emphasise that the ordinary business of government continues, and the role of agencies, Government Business Enterprises and State-Owned Companies remains largely unchanged. The provision of all normal services should continue, and statutory responsibilities are not affected.

As set out in the Caretaker Guidelines, the commencement of the caretaker period does not dissolve the executive. The Executive Council may still meet. The Government remains in authority with Ministers exercising their executive responsibilities.

The Caretaker Guidelines do affect some aspects of executive government. The underlying principle is to avoid or defer decisions or actions which would bind an incoming government, such as:

- making major policy decisions likely to commit an incoming government;

Insert CM reference

- making significant appointments; and
- entering into major contracts or agreements, or approving a major variation or termination of a major contract.

When considering whether a contract or undertaking or variation qualifies as ‘major’, agencies and government businesses should consider:

- the monetary value of the commitment;
- whether the commitment involves a routine matter of administration or if it implements or entrenches a policy, program or administrative structure which is politically contentious; and
- whether the commitment requires ministerial approval, or would usually be disclosed to a Minister given the commitment’s significance or materiality to the operation of the agency or Government Business Enterprise or State-Owned Company.

The Caretaker Guidelines are available at [www.dpac.tas.gov.au](http://www.dpac.tas.gov.au). I strongly encourage you to ask your staff and all members of your governing Board to familiarise themselves with them.

You may also wish to add consideration of application of Caretaker Guidelines as a standing Board agenda item to ensure the guidelines remain front of mind in executive decision making.

As Secretary, DPAC I can provide information and advice to agencies, Government Business Enterprises and State-Owned Companies, however, responsibility for observing the conventions rests with Heads of Agencies, Chief Executive Officers and Board Chairs of Government Business Enterprises and State-Owned Companies, and, in matters where they are involved, the relevant Minister.

Please do not hesitate to contact myself or Ms Mel Brown, Acting Director, Office of the Secretary, DPAC should you require guidance or wish to discuss disclosure or consultation with respect to a matter potentially falling within the Caretaker Guidelines. Ms Brown can be contacted by email at [caretaker@dpac.tas.gov.au](mailto:caretaker@dpac.tas.gov.au).

Yours sincerely

Kathrine Morgan-Wicks PSM  
**Secretary and Head of the State Service**

12 June 2025

Attachment – Caretaker Guidelines



# Understanding the Caretaker Conventions – Tasmanian State Election 2025 for Tasmanian State Service agencies

Department of Premier and Cabinet

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# Caretaker Conventions

## What and when?

- The 2025 Tasmanian State Election will be held on Saturday, 19 July 2025.
- By convention, the government assumes a caretaker role from the time the Parliament is dissolved by the Governor of Tasmania, until the result is clear.

## The conventions:

- ensure that decisions are not taken that could bind an incoming government and limit its freedom to act
- recognise that every general election brings with it the possibility of a change of government
- ensure that the everyday business of government agencies continues
- preserve the apolitical nature of the public service
- are available on the DPAC website.

## Responsibility for adherence to the conventions sits with Heads of Agencies and Ministers

## Are the Conventions binding?

- The Caretaker Conventions provide guidance for handling government business during the caretaker period.
  - They are not 'rules' or written in law.
  - They require judgement, discretion and common sense.

## By convention, what to avoid:

- The Government is to avoid:
  - making and implementing major policy initiatives;
  - making or renewing significant appointments; or
  - entering into major contracts or undertakings.

**During Caretaker, the business of government continues and ordinary matters of administration continue.**

- Cabinet does not usually meet.
- Executive Council does not usually sit.

# The role of Tasmanian State Service (TSS) employees and officers

**TSS employees and officers have ongoing obligations under the:**

- Code of Conduct
- the State Service Principles.

**During the caretaker period in particular, employees and officers:**

- should exercise caution and sound judgement;
- avoid publicly explaining or promoting policies;
- must not use agency resources or their positions to support particular issues or Parties during the election campaign;
- take care when making public statements; and
- think twice about doing something if it doesn't 'feel right'.

# Requests for advice

- All requests for information from Ministers or their office staff during the caretaker period require judgement.

## What could be OK?

- Advice on business as usual / operational matters.
- Providing purely factual information that is not partisan and/or politically contentious.
- Advice to protect the State's interests for urgent domestic (e.g. emergencies/ natural disasters) or international issues (e.g. terror threats).

## What is not OK

- Provision of policy advice.

# What do the Conventions say?

- Agencies should carefully monitor their communications activity during the caretaker period to ensure that the material:
  - is of public interest
  - relates only to the day-to-day business of the department or agency
  - cannot reasonably be construed as being for political purposes.
- Need help? Ask your agency's communications team.

# Specific advice in the Caretaker Conventions

During caretaker Tasmanian Government campaigns should not:

- promote policies or achievements of the Government
- highlight the role of particular Ministers
- relate to issues that are a matter of contention between the Government and non-Government parties.

This applies to:

- advertising: press, online, radio, TV
- websites
- social media
- publications
- media releases
- third-party communications e.g. acknowledging government sponsorship or support.

# Possible actions

- Cancel/withdraw advertising.
- Add an authorisation to advertising.
- Don't include a Minister's message or image.
- Issue material under a departmental spokesperson.
- Increase social media moderation or turn off commenting/posting.

# Applying the Caretaker Conventions

- ✓ Advertising business-as-usual and operational matters (e.g. licensing or registration changes).
- ✓ Advertising programs or services available for the community, social organisations, etc.
- ✓ Approval of appointments by Secretary/delegate.
- ✓ Small grant programs where a decision has already been made to provide the grant (grant administration),  
Note: Ministers should not be included in any presentation or letter.
- ✓ Provision of services, operational advice, processing leave, terminating temporary appointments.
- ✓ Subordinate legislation that needs to be approved by Governor of Tasmania in Council so long as this does not bind the incoming government.  
Note: there should be a special sitting of the Executive Council to discuss these.
- × Advertising an upcoming grant round in post-election period for which approval has not already occurred pre-caretaker.
- × Advertising which addresses issues or concerns with policies, or highlights the Minister's role.
- × Ministers attending National Cabinet or Ministerial Council Meetings (a senior official should be sent as observer and not make commitments).
- × Approving major contracts/tender process. Unless operational, these should be placed on hold.
- × Major SES and Head of Agency appointments should be deferred where possible or seek bi-partisan support.
- × Major project approvals (depends on level of bipartisan support).
- × Public servants used in political advertising.
- × Cabinet and Executive Council meetings (not usually held during caretaker period).

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# Questions?

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# Tasmanian Government online and electronic communications

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**Preparing for the caretaker period**

June 2025 | Version 1.0

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# Introduction

This is a guide only, to help you prepare for normal business operations during the caretaker period.

Online and electronic communications will be different for each agency, whether in subject matter, demographics of the audience and the way the target audience interacts with the content.

These factors, along with your experience, should be considered when planning how your online and electronic communications will be managed during the caretaker period.

## Caretaker conventions

Section 7.16 of the Guidelines on the Caretaker Conventions and the Operations of Government During the Caretaker Period advise that “online platforms, social media platforms or other electronic communications either hosted or managed by agencies, should remain apolitical during a caretaker period”.

## Actions

### Before the start of the caretaker period

- Review all websites, online and social media platforms to identify any material that requires removal.
- Check the wording of any icons and links to ensure they cannot be interpreted as promoting a government policy or achievement. It is also recommended profiles of Ministers be removed.
- If agency platforms contain links to sites outside the www.tas.gov.au domain with political content, consider the need for entry/exit messages, such as:  
**You are now leaving the website of [X]. The website you are entering is not maintained or funded by the Tasmanian Government.**
- On agency-managed social media platforms, any likes or follows that link to political candidates, members or sites, should be removed.
- In most cases, agency-managed online platforms may retain material placed on them before the start of the caretaker period.

## When the caretaker period starts

Post and/or add the following message (or similar) to social media accounts:  
**The Tasmanian Government has assumed a caretaker role in the lead up to the XX MONTH election for the Tasmanian House of Assembly. Any political material or discussion posted on this page will be removed.**

- If possible, pin the post to the top of your channel.
- Add the following message (or similar) to agency websites (such as a banner at the top of the homepage):

**The Tasmanian Government has assumed a caretaker role in the lead up to the XX MONTH election for the Tasmanian House of Assembly. Caretaker conventions will apply until the election results are clear or, if there is a change of government, until the new government is in place.**

## During the caretaker period

- Only add the following material to online platforms:
  - Portfolio-related announcements (if that is the usual practice). This will require judgement within each agency, but, as an example, a Ministerial press release relating to a public health warning might appropriately be added.
  - Agency-related announcements of a routine, apolitical nature (if that is the usual practice).
  - Purely factual material.
  - Information on existing policies and programs, unless the information includes attacks on non-government parties or members, or other political material.
- The following material should not be added to (or link to) online platforms:
  - Ministerial announcements relating to election promises (including media releases).
  - Any political information, including information that contains attacks on non-government parties or members, or other political material.
  - Information that contains links to political material or pages.
- Moderating public contribution and discussion:
  - Where a platform allows for comments to be posted (such as social media), consider which of the following measures is appropriate for your page:

- Post a statement advising any political material or discussion will be removed during the caretaker period (see example above).
  - Limit comment functionality, pre-moderate comments before they are published or closely monitor public contributions.
  - Disable the comment/posting functionality altogether.
- If posting/commenting functions are disabled or limited, provide an explanation in the election message, such as:
 

**The Tasmanian Government has assumed a caretaker role in the lead up to the XX MONTH election for the Tasmanian House of Assembly. During this time Tasmanian Government resources are not used to communicate political material. As such, this website/function is unavailable/will be moderated until after the election to ensure political material is not placed on this site.**
- For Ministerial platforms that are maintained by agencies:
    - Agencies may continue to maintain or fund the maintenance of the platform during the caretaker period if that was the practice before the caretaker period.
    - Material placed on the Minister's platform before the caretaker period may be retained, as may links between the Minister's and agency's websites.
    - Agencies should only add material relating to matters of existing policy or purely factual material to Ministerial platforms. They should not add material that could be construed as being political, including material concerning future policies, election commitments or issues, how-to-vote material or media releases and speeches that criticise non-government parties or members, or promote the government.
    - If an agency-maintained/funded Ministerial website contains links to sites outside the www.tas.gov.au domain (such as political party websites or social media accounts or personal Ministerial platforms), the links should be removed or an appropriate entry/exit message included. Messages could be along the lines of
 

**You are now leaving the website of [X]. The website you are entering is not maintained or funded by the Tasmanian Government.**

## Access to accounts

Review the admins and access to your agency's online platforms. Are there enough people within your business unit or division who can be admin if needed?

If a member of your agency's communications team is not already an admin on an online platform, add a member of your agency's communications team for access in an emergency.

Contact [your agency's manager of communications](#) for more information and to discuss.

## A note on media releases

When an election is called and the government assumes caretaker role, the central system used by the Government Communications Office (GCO) in the Premier's Office for distributing media releases will not be used. This is a cautionary move to ensure the system isn't used for distributing media releases that might contain political content.

During the caretaker period, business-as-usual media releases issued by agencies will need to be approved by the relevant Secretary and provided to the GCO for information.

If you need to issue a media release during caretaker, use the following process as a guide within your agency.

1. The business unit drafts the media release ([using the Tasmanian Government media release template](#)) and an accompanying Minute to the Secretary, giving context as to why the media release is necessary.
2. The business unit forwards the media release and Minute to the agency's communications team for review.
3. The communications team reviews the documents, provides feedback and allocates a contact to field queries from the media.
4. The communications team lets the business unit know once the documents have been checked and approved to progress.
5. The business unit sends the Minute and media release to the Office of the Secretary. The Office of the Secretary will put the documents through the normal channels to reach the Secretary.
6. The Secretary reviews the Minute and media release and gives their approval.
7. The Office of the Secretary notifies the communications team and business unit of the Secretary's approval.
8. The communications team sends the media release to the relevant distribution list, as well as to the GCO for their information.

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## Department of Premier and Cabinet

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Dept ref: C21200/69

Mr Gene Phair  
Chairman, Tasracing  
Via email: [REDACTED]

Dear Mr Phair

I refer to correspondence from the Secretary DPAC/Head of the State Service dated 12 June 2025 in relation to the Guidelines on the Caretaker Conventions and the Operations of Government During Caretaker Period – Tasmanian State Election 2025 (Caretaker Conventions) and my subsequent discussions with you via phone on 6 January 2026 regarding application of the Caretaker Conventions.

The Caretaker Conventions advise that:

- While government business continues in relation to ordinary matters of administration, the caretaker conventions do affect some aspects of Executive Government. In summary, the conventions are that the Government avoids:
  - making major policy decisions that are likely to commit an incoming government or limit its freedom to act
  - making or renewing significant appointments
  - entering into major contracts or agreements, or approving a major variation or termination of a major contract.
- There are also established conventions and practices associated with the caretaker conventions that are directed at:
  - protecting the apolitical nature of the State Service
  - preventing controversies about the role and work of the State Service during an election campaign
  - avoiding the use of government resources in a manner to advantage a particular party.

I am advised that during the Caretaker period, Tasracing engaged in public communication in regard to a Liberal Party election commitment - TasInsure. Noting the Caretaker Conventions, can you please outline what action the Tasracing Board has taken to address this matter.

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Your prompt response would be appreciated.

Yours sincerely



Shane Gregory  
**A/Secretary and Head of the State Service**

6 January 2026

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19 January 2026

Mr Shane Gregory  
A/Secretary and Head of the State Service  
Department of Premier and Cabinet  
GPO Box 123  
HOBART TAS 7001

Email: [REDACTED]

Dear Mr Gregory

**RE: Caretaker Conventions**

Thank you for your correspondence relevant to the Tasmanian election Caretaker Conventions and commentary attributed to Tasracing regarding TasInsure, a Liberal Party election commitment, during the caretaker period.

For background and some context, as you may be aware, the issue was raised during Tasracing's GBE scrutiny in December last year.

While it is obviously a matter for public record, Tasracing CEO Andrew Jenkins responded during scrutiny that Tasracing had on-shared information regarding TasInsure in the interests of industry participants.

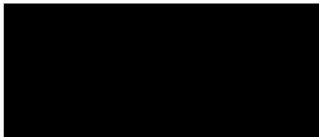
In no way did Tasracing endorse or recommend the election commitment. We did note that we believed the initiative would provide workers' compensation insurance that could be applicable for racing industry participants and to essentially watch this space for developments. Our approach was simply to provide participants with information that could assist them with business operating costs given workers' compensation has been a long-standing issue of concern for our industry, particularly in the thoroughbred code.

That said, when I was advised of the matter by the former Leader of the Opposition, Dean Winter, I sought to have the post removed from our website. I spoke to the CEO of the need to remain apolitical during election campaigns, noting previous comments about our messaging, that an approach with an abundance of caution mindset was required.



While I am happy to discuss the matter further, I believe it has been resolved to the satisfaction of the Board, and no further action is required.

Yours sincerely



Gene Phair  
**Chairman**

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## Department of Premier and Cabinet

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Ph: 1300 135 513 Fax: (03) 6233 5685  
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Dept ref: Insert CM reference

Mr Gene Phair  
Chair  
Tas Racing  
6 Goodwood Road  
Glenorchy TAS 7010

Dear Mr Phair

I acknowledge your letter dated 19 January 2026 regarding the Tas Racing Board's response on the commentary during the 2025 caretaker period attributed to Tas Racing regarding TasInsure.

I consider the commentary made by Tas Racing to be a breach, inadvertent or otherwise, of the *Guidelines on the Caretaker Conventions and the Operations of Government during the Caretaker period*.

The Secretary of the Department of Premier and Cabinet is not responsible for the adjudication of potential breaches during an Election period unless it relates to the conduct of a state servant. However, I do play an important advisory role in the application of the caretaker conventions.

My recommendation to the Board is that it considers providing additional professional development to Tas Racing employees at the commencement of any Election period to support understanding and compliance with the conventions.

The Department and Premier and Cabinet would be willing to support the provision of training and information sessions, should this be useful.

Yours sincerely

A solid black rectangular box used to redact the signature of the Secretary.

Kathrine Morgan-Wicks PSM  
**Secretary**

29 January 2025

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*Shaping a united  
and vibrant industry  
of which Tasmania  
can be proud.*



4 February 2026

Ms Katherine Morgan-Wicks PSM  
Secretary  
Department of Premier and Cabinet  
GPO Box 123  
HOBART TAS 7001

Email: [REDACTED]

Dear Ms Morgan-Wicks

Thank you for your letter dated 29 January 2026 regarding the Tasracing Board's response to commentary attributed to Tasracing during the 2025 caretaker period in relation to TasInsure.

Tasracing notes your advice concerning the application of the *Guidelines on the Caretaker Conventions and the Operations of Government during the caretaker period*, and your recommendation regarding additional professional development for employees at the commencement of any election period.

Tasracing would welcome the opportunity to receive any relevant training, information sessions, or educational material from the Department of Premier and Cabinet in due course.

Yours sincerely

[REDACTED]

Gene Phair  
Chairman