

Cabinet Conventions: NSW Practice

Attachment 1 to M2026-02 Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions

This is an updated version, from August 2025, of a paper by Professor Emerita Anne Twomey AO, Former Policy Manager of the Legal Branch, The Cabinet Office and Roger Wilkins AO, former Director-General, The Cabinet Office.

Conventions guide practice in giving effect to fundamental constitutional principles. They form part of the broader Constitution of the State and form key elements of the operation of the system of government – eg the convention that the Governor appoints as Premier the person most likely to command the confidence of the Legislative Assembly.

Conventions are based upon principle (which is the reason behind them), precedent and general recognition and acceptance of their application. This means that they are treated as binding by participants in the exercise of power, such as Ministers, vice-regal officers, lawyers and public servants, even though they are not laws.

Because they are not laws, conventions are not recorded in formal sources such as statutes, subordinate legislation or court decisions. While they may form the accepted understanding of those who participate in the exercise of power, that understanding can be lost or distorted over time as there are changes in those holding office. It is therefore important to record in writing what those conventions are, so that newcomers can acquaint themselves with conventions and everyone has the same understanding and expectations. That is what this memorandum is intended to achieve.

Cabinet is a body that has no formal legal status. But it is the central institution of the Executive Government in Westminster-style systems of governance. Its workings are largely governed by practice and convention. The essence of its operation is efficient collective decision making.

It is important, for example, that, once the government has made a decision, it “speaks with one voice” and presents a united position to the community, whatever internal differences there may be. To do otherwise would create uncertainty and confusion in the administration of government with potentially damaging economic and social effects.

The secrecy or confidentiality of Cabinet proceedings is essential, not gratuitous. Ministers must be sure that what is said and done in Cabinet is not open to the full glare of publicity. If it were, Cabinet would cease to be an institution for robust debate and canvassing of a full range of policy options. It would not be fully informed and would be impaired in making the best decisions for the people of the State.

Similarly, it is crucial that significant questions that affect the government as a whole come to Cabinet. Pre-empting the Cabinet’s role undermines the practice of collective decision making and the principle of collective responsibility.

Application of conventions

The New South Wales Constitution is comprised of statutes, the common law, convention and practice. Convention is most commonly used to deal with the composition, structure and powers of the executive, because it is flexible, rather than prescriptive, and therefore allows change to occur slowly over time to meet changed conditions of government.

Constitutional conventions are not directly enforceable by the courts, but they may still be recognised by the courts and applied indirectly. For example, conventions concerning cabinet

confidentiality are applied by the courts in holding that cabinet documents are the subject of public interest immunity¹ or confidentiality requirements² and that the Legislative Council may not order the production of such documents.³ However, a court cannot make a judgment on the fitness for office of a Minister, as this is an essentially political consideration.⁴

Composition of NSW Cabinet

By convention, the Governor commissions as Premier the Member of Parliament who commands the confidence of the Legislative Assembly (who is almost always the Member who leads the party that holds the greatest number of seats in the Legislative Assembly). The Premier then advises the Governor on the appointment of other Ministers of the Crown.

The only express constitutional requirement is that Ministers also be members of the Executive Council. There is no express constitutional requirement that members of Cabinet be Members of Parliament. However, the principle of ‘responsible government’ applies in New South Wales and gives rise to a number of conventions (four are listed below).

1. Cabinet is comprised of all Ministers of the Crown

In other jurisdictions, where the number of Ministers is larger,⁵ Cabinet is comprised of a group of senior Ministers. In New South Wales, by convention, all Ministers of the Crown are members of the Cabinet and are bound collectively by its decisions. The maximum number of Ministers was previously limited by the *Constitution Act*, but this is no longer the case. However, for practical reasons the number of Ministers has remained at around twenty. Other Australian states have usually retained the convention that all Ministers are part of Cabinet.

2. Only Ministers of the Crown are members of Cabinet

By convention, only Ministers may be members of Cabinet. This is because Ministers have been formally appointed to exercise executive power and are responsible to Parliament for the exercise of that power. As Cabinet is the primary policy setting body for the Executive Government, its decisions must be made by those who have been commissioned to form a government and exercise executive power.

The Secretary of The Cabinet Office attends Cabinet meetings to record Cabinet’s decisions, accompanied by a senior official who is the note taker. These officials are not members of Cabinet.

In addition, other officials may regularly attend Cabinet committee meetings as standing advisors or as a guest. For example, in times of emergency, such as a natural disaster or pandemic, representatives of emergency response services might attend Cabinet meetings or Cabinet committees to provide input and be informed. But they are not members of the Cabinet because they are not Ministers who are responsible to Parliament.⁶ Where expert advice is required (for

¹ *Commonwealth v Northern Land Council* (1993) 176 CLR 604, 615.

² *Attorney-General v Jonathan Cape Ltd* [1976] 1 QB 752, 770 (Lord Widgery).

³ *Egan v Chadwick* (1999) 46 NSWLR 563.

⁴ R Brazier, *Ministers of the Crown*, (Clarendon Press, Oxford, 1977), 271; *Stewart v Ronalds* (2009) 76 NSWLR 99, [45].

⁵ See, for example, the Commonwealth Government and the United Kingdom Government. The Commonwealth Government moved to an inner Cabinet and outer ministry model in the 1950s.

⁶ Note the argument that members of the ‘National Cabinet’ (previously known as COAG) were members of a Commonwealth Cabinet Committee. This argument was rejected in *Patrick and Secretary, Department of Prime Minister and Cabinet* [2021] AATA 2719, in part because the Premiers were not responsible to the Commonwealth Parliament. See further: Anne Twomey, ‘Cabinet Conventions and National Cabinet’ (2022) 33 Public Law Review 111.

example from the Police Commissioner, the Chief Health Officer or national security experts) it can be obtained through reports or presentations to Cabinet.

3. All Cabinet members must be Members of Parliament

The convention that Ministers (and hence Cabinet members) be Members of Parliament⁷ finds its source in the principles of responsible government. These require that Ministers be collectively responsible to the Parliament and hold the confidence of the Legislative Assembly. Ministers are also individually responsible to the House of which they are a Member with respect to the administration of their portfolios. In order to be properly accountable to the Parliament, a Minister must therefore be a member of it.

There are circumstances, however, where this will not be the case. A common example is where the Legislative Assembly is dissolved prior to an election. Ministers who were Members of that House cease to be so upon its dissolution, but remain in office as a Minister until a new government is commissioned. This also applies to a Minister who has been defeated at an election, who may remain in office until a new Government is formed.⁸ A less common example is where a person is commissioned as a Minister in the expectation of being elected to Parliament in a by-election, or where a Member resigns from one House in order to be a candidate for election to the other. Emergency circumstances may also arise which necessitate the appointment of non-parliamentarians to be Ministers for a short period.

Those Constitutions, such as the Commonwealth and South Australian Constitutions, which expressly require Ministers to be Members of Parliament, give a period of grace, such as three months, for the Minister to become a Member after appointment as a Minister. The New South Wales convention is more flexible, but there would be an expectation that at least the same leeway would be given.

4. Each Minister must retain the confidence of the Premier

Ministers are appointed by the Governor on the advice of the Premier.⁹ The Premier also advises the Governor on the withdrawal of a Minister's commission and the reallocation of portfolios. Accordingly, Ministers must retain the confidence of the Premier. Where circumstances arise that might warrant a Minister's resignation, an offer to resign should be made to the Premier, giving the Premier the choice of whether to accept it or to express continuing confidence in the Minister concerned. The formal resignation from ministerial office is made to the Governor. To ensure continuity in office, a ministerial resignation will ordinarily take effect only once a replacement Minister or, where appropriate, a new Government, is able to be sworn in.

The same conventions and practices apply in the United Kingdom where it is expressly provided in the Ministerial Code that 'Ministers only remain in office for so long as they retain the confidence of the Prime Minister'.¹⁰

⁷ *Egan v Willis* (1996) 40 NSWLR 650, 660 (Gleeson CJ).

⁸ For example, Campbell Newman continued to act as Premier of Queensland in a caretaker capacity after losing his seat at the 2015 State election. He resigned as Premier two weeks later when it became clear that the Opposition could form a Government.

⁹ Note that Labor Governments elect their proposed Ministers and the Premier advises the Governor to appoint those persons elected. However, in practice a Minister who does not hold the confidence of the Premier rarely survives, or at best is given little responsibility.

¹⁰ United Kingdom, Cabinet Office, *Ministerial Code* (updated 22 December 2022), [1.6]. This statement was inserted at the recommendation of the Nolan Committee in 1995: R Brazier, *Ministers of the Crown*, (Clarendon Press, Oxford, 1977), p 264.

Collective Ministerial responsibility

There are two main aspects to collective ministerial responsibility. First, the Cabinet must maintain the confidence of the Legislative Assembly. Second, Ministers are collectively responsible for all Cabinet decisions and must publicly support them, even if they do not personally agree with them. A consequence of this requirement is the necessity to maintain the confidentiality of cabinet deliberations. The relevant conventions flowing from collective ministerial responsibility are as follows:

5. The resignation of the Premier entails the resignation of all Ministers

As it is the Premier who is commissioned to form a Government, and all Ministers are appointed upon the Premier's advice, the resignation of the Premier has the effect of causing the resignation of all Ministers. This occurs after an election, even when the Government has been re-elected, in order to allow a new Government to be formed. It is also used as a means of providing for a Cabinet re-shuffle. In such a case the Premier resigns and is re-commissioned to form a Government. The Premier then advises the Governor to appoint Ministers to their new portfolios and in the appropriate order of seniority. By convention, the resignation of the Premier only takes effect once a new Premier is ready to be sworn-in, so that there is no gap between governments. Outgoing ministries operate in a caretaker capacity until the new ministry is sworn-in.

6. The Cabinet must maintain the confidence of the Legislative Assembly

By convention, if the Legislative Assembly withdraws its confidence in the Cabinet by, for example, passing a vote of no confidence in the Government, the Premier must either secure from the Governor the dissolution of Parliament and the grant of an election or resign.¹¹ As noted above, the Premier's resignation results in the resignation of all Ministers, and hence the fall of the Government.

This convention has been affected by the enactment of s 24B of the *Constitution Act* 1902. It provides for fixed term Parliaments and limits the circumstances in which an election can be held prior to the fixed date. One such circumstance is the passage of a motion of no-confidence in the Government, but such a motion must comply with the requirements of the provision, and time must be given for a motion of confidence in the Government to be expressed, before an election can be held. Where the requirements of s 24B have been met, the Governor is given a further discretion to decide whether to dissolve the Legislative Assembly or whether a 'viable alternative Government' could be formed without a dissolution. Where, for example, the Legislative Assembly has expressed confidence in another Member to form a Government, the Governor may appoint that person instead of dissolving the House prior to an election.

Thus the original convention has been partly codified and partly transferred to the discretion of the Governor.

¹¹ There has been a debate about whether this convention applies in relation to other defeats in the lower House (such as defeats on supply, major bills, minor amendments to bills or procedural motions). See: P Norton, 'Government Defeats in the House of Commons: Myth and Reality', in G Marshall (ed), *Ministerial Responsibility*, (OUP, 1989), pp 33-45. Note that an accidental or temporary vote of no confidence due to the absence or illness of Members does not require an immediate response if it can be fairly expected that confidence will be restored within a reasonable period.

7. Cabinet is responsible for significant government policies and decisions

There is no legislative requirement as to which matters must be determined by Cabinet and which may be determined by the relevant Minister alone. By convention,¹² however, matters which require the consideration of Cabinet include the following:

- all proposals for legislation;
- proposals for significant or sensitive subordinate legislation;
- new policies and significant or sensitive changes to existing policies;
- proposals that affect more than one portfolio or require ‘whole of government’ consideration;
- policies and commitments (such as contracts) with a significant financial impact, or which require additional funding;
- intergovernmental agreements and matters dealt with at Ministerial Council meetings;
- government papers issued for public consultation or comment;
- proposed responses to the reports of Parliamentary Committees, Commissions of Inquiry and other significant reports; and
- significant appointments.

The determination of whether a matter ought to be considered by Cabinet is ultimately made by the Premier and usually communicated through The Cabinet Office which administers the setting of the Cabinet agenda.

Given the importance of the Cabinet in determining Government policy, all Ministers are expected to attend Cabinet and their attendance takes priority over other commitments.

8. Ministers are collectively responsible for Cabinet decisions and must support them publicly

By convention, once a decision of Cabinet is made, all Ministers are required to support it, both in the Parliament and in public, regardless of their personal views.¹³ The purpose of collective responsibility is to maintain the stability of governments, unify their objectives, increase their capacity to achieve outcomes and avoid blame-shifting among Ministers.¹⁴ It permits a unified approach to be taken to issues that arise across portfolios and prevents or resolves disputes between Ministers and between departments.

Collective responsibility also has an impact upon individual ministerial responsibility. An individual Minister cannot be expected to resign for a policy failure if that policy has been adopted by the Cabinet as a whole. The entire Cabinet takes responsibility for policy determined by Cabinet, and is accountable for that policy to the Legislative Assembly and to the people at elections.

¹² As long ago as 22 September 1856, it was recognised in a Memorandum approved by the NSW Executive Council, that Cabinet should consider matters involving new or important principles of policy, appointments and ‘cases of importance’.

¹³ Collective responsibility was invoked from 1856 in New South Wales and regarded as a means of securing cabinet solidarity: P Loveday and A W Martin, *Parliament Factions and Parties – The First Thirty Years of Responsible Government in New South Wales 1856-1889* (MUP, 1966) 119.

¹⁴ Anne Twomey, ‘Cabinet Conventions and National Cabinet’ (2022) 33 Public Law Review 111, 117.

Only Ministers are bound by collective ministerial responsibility. Parliamentary Secretaries, for example, not being members of Cabinet, are not bound by collective ministerial responsibility, although they may be influenced by it.

9. Ministers who are not prepared to accept and support a Cabinet decision must resign from Cabinet

The convention requiring collective responsibility for Cabinet decisions also requires that Ministers resign if they are not prepared to maintain collective responsibility by supporting a Cabinet decision. There are exceptions, however, when Cabinet itself decides that on a particular issue Ministers may ‘agree to differ’¹⁵ or have a ‘free vote’, also known as a ‘conscience vote’ in the Parliament.¹⁶ Such issues may also arise where there is a coalition of parties in government. Although collective responsibility applies generally, regardless of to which political party a Minister belongs, the Cabinet may decide that Ministers belonging to a particular party are permitted, in a particular case, to express their dissent.

By convention, if a Minister resigns because he or she cannot support a particular Cabinet decision, the former Minister may explain that this was the reason for his or her resignation, but may not further breach cabinet confidentiality by revealing the deliberations of Cabinet upon the issue, or upon any other issue.

10. Ministers must not pre-empt Cabinet decisions

Collective responsibility relies on Ministers not undermining it by announcing their views on issues prior to their determination by Cabinet. Such action may be seen as an attempt to pre-empt Cabinet’s decision or to differentiate a Minister’s position from that of the Cabinet as a whole.

Ministerial speeches must be consistent with existing government policy as determined by Cabinet¹⁷ and where they include comments on other portfolios, should be checked with the relevant Minister.

11. The confidentiality of Cabinet deliberations must be maintained

Cabinet confidentiality has been recognised by the courts as ‘an application of the principle of collective responsibility’.¹⁸

It has been held to be in the ‘public interest that deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made’.¹⁹ The collective responsibility of Ministers for Cabinet decisions would be undermined if the deliberations of Cabinet were made known.

¹⁵ For an English example, see Arthur Silkin, ‘The “Agreement to Differ”’ in G Marshall (ed), *Ministerial Responsibility*, (OUP, 1989), pp 62-4 concerning the effects on collective ministerial responsibility of the freedom given to Ministers to support or oppose a referendum on whether the United Kingdom should remain in the European Common Market.

¹⁶ See, for example, the conscience vote given on the *Human Cloning and Other Prohibited Practices Bill* 2003, which allowed the Minister who moved the second reading speech in the Legislative Council on behalf of the Government to give personal support to amendments that had been rejected by the relevant Minister in the Legislative Assembly. New South Wales, *Parliamentary Debates*, Legislative Council, 26 June 2003, pp 2209-24.

¹⁷ The same requirement is imposed in the United Kingdom: United Kingdom, Cabinet Office, *Ministerial Code* (updated 22 December 2022), [8.3].

¹⁸ *Egan v Chadwick* (1999) 46 NSWLR 563, [15] (Spigelman CJ); *New South Wales v Public Transport Ticketing Corporation* [2011] NSWCA 60, [45] (Allsop P).

¹⁹ *Commonwealth v Northern Land Council* (1993) 176 CLR 604, 615.

By convention, Ministers may not publicly reveal the position that they put to Cabinet, nor the response of other Ministers. Former Ministers also remain bound by the convention of Cabinet confidentiality.

By law, Cabinet documents are accorded ‘public interest immunity’ which protects them in most cases from being produced under compulsion in legal proceedings.²⁰ Legislation may exclude the power of an institution or officer to require the production of Cabinet information.²¹

The power of the Houses of the Parliament to require the production of government documents is also derived from the principle of ministerial responsibility. While the courts have concluded that the Houses, in the exercise of their functions of legislation or the scrutiny of the executive, may require Ministers to produce government documents, this is subject to the requirements of cabinet confidentiality. The inherent powers of the Houses cannot be used to undermine the principle of collective ministerial responsibility by disclosing the deliberations of Ministers in Cabinet. This includes Cabinet documents which reveal the position that a Minister intended to put to the Cabinet.²² ‘Cabinet documents’ are generally taken to include: Cabinet submissions, correspondence concerning Cabinet submissions, analyses of Cabinet submissions and briefings to Ministers on Cabinet submissions, Cabinet agendas and Cabinet decisions. The equivalent documents concerning Cabinet Committees are also considered Cabinet documents. Draft versions of all such documents are also considered Cabinet documents.

The rationale for Cabinet confidentiality passes away over time. Accordingly, the *State Records Act 1998*²³ provides that Cabinet records (like other State records) are generally released publicly by ‘Museums of History NSW’ 20 years after their creation,²⁴ or before that date on the application of scholars and biographers. In the United Kingdom, Cabinet confidentiality ceases, for the purposes of ministerial memoirs, fifteen years after the events occurred,²⁵ and the courts are reluctant to enforce confidentiality requirements even 10 years after the relevant events.²⁶

In New South Wales, the exemption under the *Government Information (Public Access) Act 2009* (NSW) for Cabinet information ceases 10 years after its creation, although other sources of exemption may continue to apply. Given the legal right of access to Cabinet documents, in principle, after ten years, convention must follow by only binding Ministers for a period of ten years, unless overriding public interests in maintaining confidentiality, such as public security, apply.

12. The Cabinet documents of former Governments remain protected

Cabinet documents are the property of the State, not Ministers. They must be returned by Ministers upon leaving ministerial office. Access by current Cabinet Ministers to the Cabinet documents of previous governments of a different political party is by convention usually refused. An exception arises where the documents are already in the public domain. An exception might also arise where the ‘continuity of administration’ requires reference to previous Cabinet documents. However, in such circumstances, it is more common for Ministers to be given information about the previous consideration of the issue, the arguments given and the decision

²⁰ *Commonwealth v Northern Land Council* (1993) 176 CLR 604; and *Evidence Act 1995* (NSW), s 130.

²¹ See, eg, *Children’s Guardian Act 2019* (NSW), s 70; *Government Information (Information Commissioner) Act 2009* (NSW), s 30, *Ombudsman Act 1974* (NSW), s 22.

²² *Egan v Chadwick* (1999) 46 NSWLR 563, [56]-[57], and [70]-[71] (Spigelman CJ); and [154] (Meagher JA).

²³ See Part 6 ‘Public access to State records after 20 years’.

²⁴ The National Archives of Australia also opens Cabinet documents 20 years after their creation.

²⁵ ‘Ministers’ Memoirs – The Radcliffe Committee Report’, in G Marshall (ed), *Ministerial Responsibility*, (OUP, 1989), pp 68-71.

²⁶ *Attorney-General v Jonathan Cape Ltd* [1976] 1 QB 752, 171 (Lord Widgery).

made, without revealing the personal views of Ministers so as not to undermine collective ministerial responsibility.

Where access is proposed to be given to the Cabinet documents of a previous Government, either to current Ministers or to third parties, such as scholars, the person who was the Premier at the time the documents were created is advised and consulted.

Current Ministers may usually see the Cabinet documents of previous Governments of the same political party if the need to do so arises in the course of their ministerial duties. The Premier from the time of the documents' creation is still consulted, if possible.

Former members of Cabinet may request special access to Cabinet documents with which they dealt personally when in office. This may be granted by the Secretary of The Cabinet Office on the understanding that the material not be used in a way that could damage the public interest.

Administration of Cabinet

13. Ministers must declare conflicts of interest

Ministers must reveal to the Premier any subjects in relation to which they may have (or be perceived to have) a conflict of interest. This includes financial, personal and family interests. As a matter of practice, the Premier makes a disclosure to the Cabinet whenever he or she is subject to a conflict of interest, and makes standing disclosures with respect to ongoing interests to the Secretary of The Cabinet Office. This is consistent with a general obligation to manage any potential conflicts of interest and the need to avoid the loss of community trust which accompanies accusations of conflicts of interest.

In some cases, Ministers may leave the Cabinet room when a matter is being discussed in which they may be perceived to have a conflict of interest. In other cases, however, it may be appropriate for the Minister to stay and participate in the Cabinet debate as long as the interest is declared. This will be the case where expertise and advice from the Minister's departments is important to ensure that Cabinet is adequately informed in making its decision.

Section 7 of the Ministerial Code of Conduct deals with conflicts of interest. This Code is prescribed by the *Independent Commission Against Corruption Regulation 2017*. A consequence is that a 'substantial breach' of the Code of Conduct may provide a critical element of a finding of 'corrupt conduct' under ss 8 and 9 of the *Independent Commission Against Corruption Act 1988* (NSW).

14. Cabinet decisions must be recorded and implemented

Cabinet decisions are recorded by the Secretary of The Cabinet Office and circulated to the Ministers who are to implement the decision.

Cabinet decisions have no force at law although in some cases they are recognised by law. For example, the NSW Civil and Administrative Tribunal, in reviewing administrative decisions, is required to give effect to any government policy, including a Cabinet decision, in force at the time the reviewable decision was made. Equally the Auditor-General is not entitled to question the merits of policy objectives of the government including those recorded in Cabinet decisions. The Auditor-General is entitled to access Cabinet information, but it is to be treated as confidential information in accordance with s 36A of the Government Sector Audit Act 1983 (NSW).

By convention, Cabinet decisions are given the highest status and priority, and it is the duty of Ministers and public servants to implement them.

15. The Cabinet's role is limited during periods of caretaker government

Once the Legislative Assembly is dissolved prior to an election, there is no House to which Ministers can be made responsible. Hence Cabinet operates pursuant to 'caretaker conventions' during the period from the dissolution or expiration of the Legislative Assembly until the election result is clear or a new Government has been commissioned.²⁷

A Government, by convention, during the caretaker period may not:

- implement major policies or make major policy decisions that are likely to commit an incoming government;
- make significant appointments; or
- enter into major contracts or commitments.

Governments may announce future policies that are to be implemented if they are re-elected to government. They may also take action in the caretaker period that has already been announced prior to the caretaker period commencing, or for example, where tenders for a contract have already been called for prior to the commencement of the caretaker period. But it would remain inappropriate to enter into a major contract during the caretaker period that would commit a future government. Accordingly, a tender process for a major contract that is likely to run into a caretaker period should be made subject to conditions that permit it to be delayed or terminated by the Government during or immediately after the end of the caretaker period.

In relation to appointments, most are deferred until after the caretaker period, but if necessary, appointments can be made on an acting, temporary or short-term basis.

Departments continue to operate during the caretaker period, dealing with the ordinary business of government.

Due to the existence of fixed term Parliaments, the date of the commencement of the caretaker period is known and plans should be made well in advance to avoid having to deal with significant matters during that period.

Where a caretaker period continues for a significant period after an election, for example where there are many recounts or there is a hung Parliament which requires a period of negotiation with independents before a government can be formed, it may become necessary for decisions to be made and commitments entered into. Where it is in the public interest for decisions to be made that fall outside those generally permitted in a caretaker period, procedures need to be implemented to consult the leader of the main Opposition Party or to take measures to prevent a future Government being bound by decisions or commitments to which it objects.

Where the State needs to be represented at inter-governmental meetings, such as a Premiers' Conference, and the outcome of the election remains uncertain, both potential Premiers may attend and receive the same briefing material.²⁸

²⁷ A Memorandum outlining caretaker conventions is issued by the Premier prior to each period commencing. See, for example, Memorandum M2022-11 Guidance Note Caretaker Conventions 2023 State Election.

²⁸ This occurred in 1991. In 1995 the Premiers' Conference was delayed until the election outcome was determined.