



Appendix D: Template for Legislation Variation Requests

Instructions

- provide information on the variation request under each of the headings in the template:
 - where there are multiple measures, departments are to provide a consolidated assessment of the financial, political and regulatory impacts, plus a short description, covering all measures in the bill
- the template is to be **prepared in Arial font 11 pt**
- variations for category T status bills require an accompanying Statement of Reasons to the bid
- **Complete all sections in the template, and do not delete any sections – select no or not applicable as needed.**
- template instructions are provided in red text below (**please remove this red text when the bid is submitted**)
- as this variation form will form the basis of an attachment to a Cabinet Memorandum, the format must be strictly observed

Variations should be classified **PROTECTED: Cabinet once completed** and should be marked as **Legal Privilege** if content of legal advice is included.

Portfolio

Bill (Include proposed title of bill/bills (where multiple bills are progressed together) and bold text.

Act (Include title of Act to be amended, if relevant—otherwise delete. Underline the Act title, do not italicise)

- measure (Describe at a high level each of the main things the bill will do. Set out each measure in 1-2 sentences—commence with a verb; finish without punctuation.)
 - submeasure (Use this line only if necessary.)
- measure
 - submeasure

Act (Include title of any other Act to be amended, if necessary.)

- measure
 - submeasure

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Add the following measures: (only required if variation request proposes to add measures to an existing bill. In addition to the new measures, please include the details of the existing measures, and relevant information, already on the program)

Act (Include title of any other Act to be amended, if necessary.)

- measure
 - submeasure

Term	Description
Proposal	Add the bill / add measures to a bill on the program / upgrade a bill from category XX status / amend a bill in the Parliament to add new measures (Amend as appropriate)
Category sought	T (critical date for passage, needs compressed timeframe); A (high priority for government); B (priority for government); C (lower priority for government); Drafting only (A or B) (Select appropriate option. Consider [Standard Timeframes Placemat] to determine whether Bill is likely to be ready for introduction in the current sitting period. If Bill is for introduction in a later sitting period, select Drafting only and specify whether it is A or B e.g. Drafting only – A. See [2.4-2.5] of Legislation Handbook for guidance on the factors relevant to determining priority.)
Reasons for variation	Text (Indicate how circumstances have changed to necessitate a variation request, rather than being held over as a bid for the next sittings.)
Critical date for passage	Yes / no (desirable dates only) (Indicate whether there is a critical date for passage, and/or whether any of the dates for exposure draft, introduction or commencement are critical, and why. Any critical dates must be justified by reference to a legal, financial or political imperative. Outline consequences if critical date is not met (1 sentence).)

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Term	Description
Proposed dates	<p>Exposure draft: yes or no / date; justification for date</p> <p>(Confirm if exposure draft of the Bill (to be released publicly/outside government) is needed, by when and duration of consultation period. See [6.11-6.14] of the Legislation Handbook for details of exposure drafts and the necessary approval (Cabinet or Prime Minister).)</p> <p>Introduction: week and month / justification for date</p> <p>(Proposed date for introduction of bill. Ensure there is sufficient time between issuing drafting instructions and proposed introduction date to enable drafting of the Bill (see [<i>Standard Timeframes Placemat</i>])). If proposing an exposure draft, ensure you leave sufficient time between release of an exposure draft and introduction to enable any necessary changes to the bill following consultation, including approval of such changes.)</p> <p>Passage: n/a or date; justification for date</p> <p>(Confirm whether passage by a particular date is necessary or desirable. Ensure there is sufficient time between introduction and passage for Parliament to consider the Bill, or explain why a compressed timeframe is proposed. If introduction and passage in same sitting period is proposed, justification must be provided, and a Statement of Reasons must be prepared.)</p> <p>Commencement: n/a or date; justification for date</p> <p>(Confirm whether there is a particular date by which the measures in the Bill must commence.)</p>
Financial, legal or political imperative	<p>Budget/MYEFO measure: yes / no</p> <p>(If yes, specify year—e.g. 2023–24 MYEFO—and title of measure.)</p> <p>Election commitment: yes / no</p> <p>(If yes, specify year—e.g. 2025 election—and title of commitment.)</p> <p>Legal requirement/court decision: yes / no</p> <p>(If yes, specify nature of requirement (e.g. sunset), or whether decision has occurred or is anticipated, and timing.)</p> <p>Other: (e.g. statutory review, committee inquiry, treaty, operational / N/a.)</p>

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Term	Description
Progress in settling policy detail	<p>Completed (i.e. ready to prepare drafting instructions) / subject to SES approval / subject to ministerial consideration / consultation underway / to be commenced</p> <p>(Select appropriate option. Detail the status of policy development underpinning the Bill and dates settled/anticipated to be settled. Confirm whether policy detail has been settled at working level, is or has been subject to SES clearance, and status of consultation with other departments or agencies, states and territories, non-government stakeholders and public. If policy papers have been or are being prepared, including for public consultation, include details here.</p> <p>If policy development is not yet complete, consider whether you are ready to submit a bid. If bid is submitted, drafting only status is likely more appropriate.)</p>
Policy approval	<p>Yes / no / partial / preliminary</p> <p>(Cabinet Minute or NSC minute (number and date) – required for significant policy changes / Prime Minister (date) or Legislation Minister (date) – required for minor policy changes / Minister (date) – only for technical amendments within existing policy, does not apply to policy development and requires OPC consultation to confirm.)</p> <p>Sought / to be sought (type and timing)</p> <p>(Select appropriate option. If partial or preliminary approval in place, estimate how much approval remains outstanding (e.g. half of the measures require policy approval), and when and how policy approval for remaining measures will be sought. Note that a public announcement or media release—including an election commitment or budget announcement—does not constitute policy approval.)</p>
Additional Cabinet or committee consideration	<p>Yes / no / proposed</p> <p>(Select appropriate option. Detail whether the proposed bill or measures have been considered by Cabinet or another committee e.g. NSC or ERC (noting ERC decisions required Cabinet endorsement) and include minute number/s and date. If item has authority to be considered by Cabinet, detail expected timing for consideration. If Cabinet has agreed to provide resourcing for the development of the Bill, detail here, including when funding commences.)</p>

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Term	Description
Legal advice	<p>Advice obtained: yes / no (from (e.g. AGS, in-house legal team) on (date))</p> <p>(Select appropriate option. Detail the nature of the legal advice and any significant issues (e.g. constitutional) identified in the legal advice. If legal advice has been obtained and it confirmed that legislation is needed to give effect to the proposal, specify here. This could include, for example, advice obtained to comply with rule 1.16 of the Budget Process Operational Rules.)</p> <p>Advice to be sought: yes / no (from (e.g. AGS) on (date))</p> <p>(Select appropriate option. Detail the nature of the legal advice to be sought, including legal issues to be addressed in advice (if known).)</p>
Status of drafting instructions	<p>Date: date issued or to be issued / status of preparation (e.g. being prepared / preparation underway / not yet commenced / ready to be issued)</p> <p>(Select appropriate option. Detail whether drafting instructions have been issued and date, whether a drafter has been allocated. If instructions are still being prepared, detail status of consultation on and approval of drafting instructions, and date expected to be issued to OPC.)</p>
Progress of legislative project	<p>Policy settled / DIs developed / initial drafting / consultation / post-consultation review / finalisation</p> <p>(Select appropriate option. See [Standard Timeframes Placemat] for guidance on the steps in each phase.)</p>
Size	<p>Small (up to 10 pages) / medium (11-100 pages) / large (more than 100 pages)</p> <p>Omnibus (multiple discrete measures): yes / no</p> <p>(Select appropriate option. See [OPC guide Judging size and complexity of Bills] for guidance on assessing this.)</p>
Complexity	<p>Low / moderate / high</p> <p>(Select appropriate option. See [OPC guide Judging size and complexity of Bills] for guidance on assessing this. If your Bill is an omnibus bill, assess the overall complexity of all the measures in the Bill.)</p>

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Term	Description
Impacts	<p>Financial: none / low / medium / high / very high Saving / expense / revenue loss / revenue gain</p> <p>(Select appropriate option. Provide an estimate of the amount in \$m to one decimal place; add additional comment if required.)</p> <p>Political: none / low / medium / high / very high</p> <p>(Select appropriate option; identify any stakeholder sensitivities.)</p> <p>Impact analysis: completed / underway / not required</p> <p>(Select appropriate option and include OIA reference number if completed or underway. Refer to Home The Office of Impact Analysis for guidance on completing the impact analysis.)</p>
Other	<p>Text</p> <p>(Provide a short description of any other factors that would assist in the assessment of the bid, if applicable.)</p>
Short description	<p>Text</p> <p>(Provide a short description/summary of the bill. Six to seven sentences at the most.)</p>
First Parliamentary Counsel	<p>Text</p> <p>(Show the comment made by FPC when consulted about the proposed variation request; FPC must be consulted on all proposed variations before they are submitted to the minister for approval.)</p>
Bid history	<p>Text / N/a</p> <p>(Indicate bid history starting with most recent category allocated by PBC. If it is a new bid, mark as N/a. – e.g.</p> <p>2024 Spring: Drafting only – A</p> <p>2024 Autumn: Category A)</p>
Contacts	<p>Name / contact details</p> <p>(List email addresses and work and mobile numbers of contact officers, including the Legislation Liaison Officer, the policy officer, legal officer lead (if applicable) and the SES officer most directly responsible for the item.)</p> <p>Instructing team: in place / being established / to be established</p> <p>(Select appropriate option. Confirm actual or proposed composition of instructing team, including SES officer responsible for delivery of the project e.g. SES1, EL2, 2 x EL1, APS6 and 2 x APS4.)</p>

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