

BRIEF GUIDELINES FOR SUBMISSION OF AGENDA ITEMS TO CABINET/LHENGYE ZHUNGTSHOG

A. GENERAL

Meeting Day of Cabinet

1. The Cabinet meeting shall be held once a week every Tuesday at 2.00 P.M. in the Cabinet Meeting Hall in the Tashichhodzong. Special Cabinet meetings may be held on other days and places, as the Chairperson may direct or deem necessary and appropriate.

Chairperson of the Meeting

2. The Prime Minister shall chair the Cabinet meeting. In the absence of the Prime Minister, the senior most Minister shall chair the meeting.

Attendance of the Meeting

3. Every Minister shall attend meeting of the Cabinet unless the Chairperson has granted approval of absence.

Conflict of Interest

4. The Chairperson may excuse participation of a minister in any deliberations on the agenda in which he or she may have conflict of interest.

Quorum

5. The two-thirds of the total number of Ministers shall be considered constituting a quorum for the Cabinet meeting.
6. If there is no quorum for the meeting, the Chairperson may declare an adjournment of the meeting.

Agenda Items for Consideration

7. Matters which may be submitted to the Cabinet Meeting for its consideration shall include:
 - a) *Draft policies, plans and programmes endorsed by GNH Commission. This will also include revisions proposed on policies, plans and programmes.*
 - b) A detailed policy proposal for enacting a new legislation;
 - c) A Bill drafted pursuant to the approved policy *and vetted by Office of the Attorney General*;
 - d) Proposals to amend the existing laws;
 - e) Issue that has irreconcilable differences between the two Agencies;
 - f) An issue that requires urgent direction or course of action by two or more Agencies;
 - g) A subject where an action of one Ministry or Agency may have impact on another Ministry or Agency;

- h) An issue which is not empowered or delegated to any of the Ministry or Agency by law;
 - i) Proposals that affect the government's financial position, or important financial commitments;
 - j) Reports of a substantive nature relating to government policy or government agencies;
 - k) Involves large financial implication which is not agreed by the Ministry of Finance;
 - l) Politically sensitive issues or issues of national security; or
 - m) Any other matter that the Chairperson deems appropriate to discuss in the Cabinet Meeting.
8. Matters that should not, as a general rule, be brought to Cabinet include:
- a) Administrative issues pertaining to a Ministry or an Agency;
 - b) It is within the scope of the Ministry or agency of the Government;
 - c) It concerns one or two Ministries which can be resolved bilaterally/trilaterally;
 - d) It can be resolved through inter-Ministerial discussion where instructions from the Cabinet already exist for consulting specific Departments or Agencies;
 - e) If a Bill is not vetted by the Office of the Attorney General. However, the concerned Minister may bring to the notice of the Cabinet of any undue time taken *by OAG* on a particular bill;
 - f) Issues that can be resolved through the Committee of Secretaries;
 - g) *Draft policies, plans and programmes that are not endorsed by GNH Commission.*

Consultation

9. Ministries/Agencies shall consult relevant ministries/agencies before submitting papers that deal with significant or potentially controversial matters, or that affect other ministry's interests. In particular, Ministries/Agencies shall consult:
- a) The Ministry of Finance on all proposals having financial implications or seeking additional financial resources;
 - b) The Ministry of Foreign Affairs on all proposals relating to foreign relations, collaborations with foreign agencies and international conventions and treaties;
 - c) The Ministry for Home and Culture Affairs on all security related matters;
 - d) The Royal Civil Service Commission on the Human Resources and civil service matters; and
 - e) *The GNH Commission in relation to the drafting/formulation and revision of all policies, plans and programmes.*

Agenda

10. The Cabinet Affairs Division of the Cabinet Secretariat shall compile agenda for the Cabinet Meetings.

11. The Cabinet Secretary shall ensure that the agenda contains only items that merit urgent consideration by the Cabinet. If a Minister wishes to submit a paper directly to Cabinet, the prior consideration of the Chairperson must be obtained with notification to the Cabinet Secretary.

Timeline for submission of agenda items

12. The Ministry or Agency shall submit a proposal to the Secretariat at least one week in advance.
13. If a Minister intends to submit a document after the deadline, he or she shall write to the Chairperson through the Cabinet Secretary seeking approval for acceptance of document with justification for inclusion on the agenda. The Cabinet Secretary shall consult the Prime Minister, and advise the Minister of the outcome. Late submission of papers should be in exceptional circumstances only.
14. The Secretariat shall submit the agenda papers to the members of the Cabinet at least one week in advance for the meeting or latest by every Friday afternoon before 5 PM for the meeting scheduled on Tuesdays.
15. If a minister who submitted the document or if any other interested minister is absent on the day of meeting such agenda or paper may be deferred for the next meeting.
16. Once the Secretariat distributes an agenda, the document or a paper can only be withdrawn or deferred at the meeting for which it was prepared. The minister, who signed the paper, shall provide notice of withdrawal as soon as possible, so that the Chairperson can be informed.
17. The Chairperson may include or exclude documents or issues submitted by the ministries and agencies in the agenda.

Who May Submit Documents

18. The Government Secretary or Head of the autonomous agency may submit document to the Cabinet, provided that the document clearly indicates that the portfolio Minister has been consulted and endorses it for the submission of the paper. This requirement may not apply if responsibility for the matter has been transferred to another Minister on reasons of a conflict of interest.

Prior Permission for Presentation

19. Any Ministry or Agency who wishes to make presentation before the Cabinet meeting, shall seek permission from the Chairperson through the Secretariat one week in advance.

Referral to Cabinet Decisions Taken Outside the Cabinet Process

20. Decisions taken by Ministers at ad-hoc meetings, and proposals to implement policies arising from manifesto commitments need to be referred through the Cabinet process if they concern matters that would usually be considered by Cabinet. This is to ensure that:
- a) The proper consultation process is followed;
 - b) Decisions are taken with the authority of Cabinet; and
 - c) The financial implications of decisions taken outside the Cabinet process can be taken into account.

Recording Cabinet Decisions

21. The Cabinet Affairs Division shall produce a summary record of the meeting, and upon clearance of the Cabinet Secretary distribute minutes of decisions as soon as possible after each meeting in a form that enables necessary action to be taken.
22. If a Minister has doubts about the accuracy of information as recorded and circulated, those doubts should be brought to the attention of the Cabinet Secretary in writing as soon as possible.
23. The draft summary records shall be confirmed in the succeeding session. Once confirmed, they are deemed to have been signed by all Ministers who attended that meeting and the Prime Minister, and filed.

Conveying Cabinet Decision

24. The Cabinet Secretary shall within one week after finalization convey the decisions or directives in writing to ministries and relevant agencies, unless specifically directed otherwise by the Chairperson or the Cabinet.
25. *All decisions related to the formulation or review of policies, plans and programmes shall also be conveyed to the GNH Commission Secretariat along with relevant agency.*
26. The responsibility for implementing decisions taken by the Cabinet rests with the Ministry submitting the proposal to Cabinet. Where proposals are submitted jointly between different Ministries, one Ministry should be allocated overall responsibility for overseeing the implementation process. This responsibility will be indicated in the report of Cabinet resolutions prepared by the Cabinet Secretariat and submitted to all members of the Cabinet. Depending on the type of decision taken, in some cases implementation on the ground cannot begin until the appropriate approval procedures have been completed.

Security of Cabinet Documents

27. In order to protect the confidentiality of Cabinet discussions, it is important that all documents - including agenda, papers and minutes of meetings, both in draft and final form - are treated as confidential and are handled and stored securely.
28. The content of Cabinet documents is confidential, privileged information, and should therefore be protected and not distributed wider than absolutely necessary. Only Cabinet members, those who are involved in the development of a particular policy or issue, or those who have a particular need to see a specific document should be given access to Cabinet documents or the information contained therein. The contents of Cabinet documents should not be discussed in public places where conversations might be overheard and confidentiality compromised.
29. Hard copies of Cabinet documents must be stored in locked cabinets when not in use. Ministries should operate a 'clear desk' policy, so that confidential documents are not seen by those without authorization whilst lying unattended. Ministers and public servants should avoid removing hard copies of Cabinet documents from Government premises wherever possible.
30. Wherever possible, electronic versions of Cabinet documents shall be distributed only to ministerial email accounts. Distribution to personal internet email accounts shall be avoided.
31. Every record of the Cabinet Meeting shall be a classified document and shall be the property of the Government.
32. A minister shall maintain the confidentiality of the documents and return all such documents to the Cabinet Secretariat on relinquishing the office.
33. The Secretariat shall destroy all the documents returned by the Minister upon relinquishing the office. However, selected documents may be handed over to the concerned succeeding ministers.

Cabinet Archive

34. The Cabinet Affairs Division of the Secretariat shall maintain record of the deliberation and decision.
35. All the classified documents of the Cabinet shall be archived in a place designated by the Secretariat and only the authorized officials of the Cabinet shall have access to archive.
36. The designated officials shall be solely responsible for maintaining confidentiality, safety and security, proper management and recording of the Cabinet Archive.

B. FORMAT AND PRESENTATION OF THE CABINET NOTE

Cabinet Notes as Instruments of Policy Making

37. The decisions taken by Cabinet are fundamental to the governance of the country. The notes for consideration of Cabinet are, therefore, central to policy making and to successful execution of government plans and programmes. These notes, should therefore, have the highest degree of clarity with all pertinent details having been brought out in the right perspective.
38. The language of the notes for the Cabinet should be clear and concise. The note shall be self-contained within few pages (not exceeding five to six pages) and any other relevant material shall be attached as Annexure.

Format and Presentation

39. The format and presentation of Cabinet Note shall be as prescribed in Annexure A. The format under Annexure A is indicative and the exact headings may vary according to the nature of proposal.
40. All paragraphs and sub-paragraphs of the Notes are to be appropriately numbered. Bullets, arrows and other similar markings are not to be used as a replacement for paragraphs or sub-paragraphs.
41. The proposal must bear the file number and name of the sponsoring Ministry or Department at the top of the document which below it shall be marked with "Note for the Cabinet".
42. The proposal is numbered continuously at the bottom right hand corner of the pages, simultaneously indicating the total number of pages, in the manner "Page x of y", where "x" is the running serial number of the page and "y" is the total number of pages in the note.
43. If the proposal, once approved by the Cabinet, is to be released to the press, the note must be attested with a draft press release for consideration by the Cabinet. This is to ensure clarity of the press releases to be issued by the Cabinet Secretariat.
44. The note shall be signed by of the concerned Secretary of a Ministry or by the Head of an Autonomous Agency.
45. All acronyms/abbreviations used in the Note are to be expanded when the term is first used. Acronyms that are not commonly used are to be avoided.

Number of Copies

46. The number of print copies of the notes required to be sent to the Cabinet Affairs Division is 3. In addition to the print copy, the sponsoring ministries and agencies shall submit electronic copy of the note to the Cabinet Secretariat.

Forwarding of Notes to Cabinet Secretariat

47. After the Minister has approved a note for submission to the Cabinet, the note shall be forwarded to the Cabinet Affairs Division to ensure that there is no delay in receipt or processing of such notes.

Checklist for Ministers and Cabinet Secretariat

48. Ministers and officials at the Cabinet Affairs Division shall follow the prescribed checklist provided in the Annexure B to ensure that the basic requirements for a Cabinet Note have been met before it is submitted. Only when all the boxes can be ticked is the note ready to be submitted to the Cabinet.

Quality Control of Notes by the Cabinet Secretariat

49. The Cabinet Secretariat through quality control of notes shall act as filter in order to ensure that only high quality, well-evidenced proposals are considered by the Cabinet.
50. Filtering out incomplete or poor quality proposals is important in two respects, first, to ensure efficient use of Cabinet time, and second to enable Cabinet to take sound, evidence-based and implementable decisions.

Annexure A: Format and Presentation of the Cabinet Note

1. Title

Express the title of the proposal in no more than one line.

2. Background

A brief background of the proposal to understand its genesis. This would include consideration of the matter earlier by Cabinet and other bodies.

3. Executive Summary of the Proposal

The proposal must be stated with clarity and precision so that there is no ambiguity in what the Ministry/Department aims to achieve by implementing the proposal. The time-lines for completion of different stages of the projects/schemes/plan etc., where relevant, need to be clearly spelt out. The Executive Summary must express succinctly the proposal of the sponsoring ministry/agency and its conclusive recommendations.

4. Justification

Rationale of the proposal may be brought out in this part of the note.

5. Stakeholder Consultations

Details of all *stakeholder* consultations and their views/comments should be brought out in this section. This should also give details of the appraisal of the proposal by any appraisal bodies.

6. Financial Implications

The financial implications of the proposal may be worked out as accurately as possible and should be detailed in this section. Further, the manner in which the expenditure is proposed to be borne may also be clearly indicated.

7. Approval Paragraph

The approval paragraph is the most crucial paragraph containing the proposal on which consideration and approval of the Cabinet is solicited. It should be a self contained paragraph and drafted clearly with clarity and precision leaving no scope for ambiguity or differing interpretations.

- 8.** The note should not be more than five pages and all details to the note may be relegated in the annexure. The note must be dully signed and submitted along with a forwarding letter.

Annexure B: Check List for the Cabinet Secretariat

Sl. No.	Checklist	√
1	The paper follows Cabinet requirements on contents, format and length.	
2	The paper has page and paragraph numbering.	
3	All attachments are attached.	
4	The decision is one that must be taken by Cabinet.	
5	All relevant stakeholders inside and outside Government have been consulted and their views accurately reflected in the Cabinet paper.	
6	All different policy options have been outlined and their benefits, disadvantages and risks explained in neutral terms. <i>All comments made by GNH Commission have been incorporated into the draft policy.</i>	
7	The recommendations cover all decisions required of Cabinet.	
8	Implementation has been planned and the details and implications of this outlined.	
9	The economic impact and costs of the options have been fully considered, the source of the money identified and agreed by the Ministry of Finance and GNHC and how the proposal represents value for money have been explained.	
10	Spelling, grammar and punctuation have been checked.	
11	Facts and statistics are accurate.	
12	Draft press release has been attested.	