



Templates for drafting instruments

Overview

OPC produces templates for agencies to use when drafting instruments not tied to OPC by the *Legal Services Directions 2017*.

Templates for:

- principal and amending instruments;
 - instruments of appointment, authorisation and delegation;
- are available [here](#) on OPC's website.

Each instrument template includes accompanying notes setting out important information for the instrument type.

There is a User Guide on OPC's website to assist with the technical aspects of OPC templates.

Some agencies have their own instrument templates, including ones drafted by OPC.

Useful numbers

Drafting enquiries: (02) 6120 1390

Lodgement, tabling and registration enquiries:
(02) 6120 1350

Choosing the right template

Before drafting an instrument, check if OPC or your agency has a template for that type of instrument. Make sure the instrument is suitable to be drafted by your Department – a guide for deciding when to draft an instrument is available on OPC's website.

Tip: When deciding whether to use a template, think about what you need to do and whether the template covers it. Templates are best suited for straightforward and simple instruments.

Tip: If you can't find a template that suits your needs, contact OPC – we can work with you to create a specialised template for your agency.

If using a **template from your agency**, consider the following:

- How recently was the template developed or updated?
- Has the enabling Act changed since the template was made? Does that affect matters covered by the template?
- Have other people in your agency made instruments using the template? What issues did they encounter?

Tip: Keep your agency templates up to date and check them regularly before use.

Tip: The template for principal instruments can be used to remake instruments that are sunsetting

Using OPC templates

1. Download the User Guide and relevant template from the OPC website.
2. Follow the template format and the accompanying notes to amend the template and create your instrument.
3. Carefully check the draft instrument, and go through the appropriate internal clearances and approvals process (including legal advice, if necessary).
4. Follow the requirements for consultation, making, registration and (for amending instruments) compilation for the type of instrument.

Tip: Such requirements can be found in the enabling Act, the Legislation Act 2003, and the ExCo Handbook.

Other resources

- [The OPC Instrument Handbook](#)
- [Drafting Direction 1.3 Commencement](#)
- [Drafting Direction 3.8 Subordinate legislation](#)
- OPC's Instrument Factsheet series