
From: Di Marco, Katrina
Sent: Thursday, 3 July 2025 6:31 PM
To: Sloan, Isobel
Cc: s 47E(d) s 22
Subject: RE: Update on anticipated FOI reforms[SEC PROTECTED, CAVEAT SH:CABINET]

~~PROTECTED//CABINET~~

s 22

Fingers crossed through one channel or another we can tighten this up a bit legislatively to achieve the original intent of the provisions.

kat

~~PROTECTED//CABINET~~

From: Sloan, Isobel s 22 @TREASURY.GOV.AU>
Sent: Thursday, 3 July 2025 6:08 PM
To: Di Marco, Katrina s 22 @TREASURY.GOV.AU>
Cc: s 47E(d) TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>
Subject: RE: Update on anticipated FOI reforms[SEC PROTECTED, CAVEAT SH:CABINET]

~~PROTECTED//CABINET~~

Hi Kat

Thank you for this.

There are a few different angles on this:

- Firstly, my branch has been engaging with LD on the FOI Act reform work and interactions with our protected information provisions. At a minimum, we would like to use this process to make FATA protected information exempt documents under the FOI Act.
 - Schedules to the FOI Act exempt a range of information subject to secrecy provisions. We would be looking to add to that list.

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s 22

Kind regards,

Isobel



Isobel Sloan — Assistant Secretary

Frameworks Branch

Foreign Investment Division

s 22

s 22

~~PROTECTED//CABINET~~

s 22

s 22



From: Sloan, Isobel s 22 @TREASURY.GOV.AU>

Sent: Friday, 4 July 2025 4:18 PM

To: Sykes, Helen s 22 @treasury.gov.au>; White, Kate s 22 @TREASURY.GOV.AU>; Hertzberg, David s 22 @TREASURY.GOV.AU>

Cc: s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>;
s 22 @TREASURY.GOV.AU>
Subject: RE: Update on anticipated FOI reforms

~~PROTECTED//CABINET~~

Thanks Helen, that sounds great – happy to discuss next week.

s 22

Cheers,

Isobel

~~PROTECTED//CABINET~~

From: Sykes, Helen s 22 @treasury.gov.au>
Sent: Friday, 4 July 2025 3:47 PM
To: Sloan, Isobel s 22 @TREASURY.GOV.AU>; White, Kate s 22 @TREASURY.GOV.AU>; Hertzberg, David s 22 @TREASURY.GOV.AU>
Cc: Leggett, Chris s 22 @TREASURY.GOV.AU>; s 47E(d) @TREASURY.GOV.AU>; s 22 s 22 @TREASURY.GOV.AU>
Subject: RE: Update on anticipated FOI reforms[~~SEC-PROTECTED, CAVEAT-SH.CABINET~~]

~~PROTECTED//CABINET~~

Hi Isobel,

Thanks for this.

By way of update, we had the IDC earlier today. s 22
s 22 We've been invited to reach out to them with any particular issues. Perhaps in the first instance FID and LD could set up some time to discuss, and then we can chat to AGD?

Helen

~~PROTECTED//CABINET~~

From: Sloan, Isobel s 22 @TREASURY.GOV.AU>
Sent: Thursday, 3 July 2025 6:17 PM
To: White, Kate s 22 @TREASURY.GOV.AU>; Sykes, Helen s 22 @treasury.gov.au>; Hertzberg, David s 22 @TREASURY.GOV.AU>
Cc: Leggett, Chris s 22 @TREASURY.GOV.AU>; s 47E(d) @TREASURY.GOV.AU>; s 22 s 22 @TREASURY.GOV.AU>
Subject: RE: Update on anticipated FOI reforms[~~SEC-PROTECTED, CAVEAT-SH.CABINET~~]

~~PROTECTED//CABINET~~

Hi Kate, Helen, David

I understand s 22 and his team have been discussing with s 22 our interest in using this process to add FATA protected information to Schedule 3 of the FOI Act. This goes to your point around consistent protection of information subject to secrecy provisions.

s 22

Happy to discuss before/after the IDC if helpful – and we’ll be ready to feed in our views once you have a mechanism in place.

Thanks,

Isobel

Isobel Sloan — Assistant Secretary
Frameworks Branch
Foreign Investment Division

s 22

s 22

~~PROTECTED//CABINET~~

s 22

From: Sloan, Isobel
Sent: Monday, 14 July 2025 5:52 PM
To: Sykes, Helen; White, Kate
Cc: s 22
Subject: RE: Update on anticipated FOI reforms[~~SEC - PROTECTED, CAVEAT - SHI/CABINET~~]

~~PROTECTED//CABINET~~

Hi Helen, Kate

Thank you for the update below, and for highlighting the FATA protected information proposal as a priority for us. I know we're due to meet later this week, but please let s 22 and I know if you need anything else before then given the short timelines on this.

Thanks,

Isobel

~~PROTECTED//CABINET~~

From: Leggett, Chris s 22 @TREASURY.GOV.AU>
Sent: Monday, 14 July 2025 2:41 PM
To: s 47E(d) @TREASURY.GOV.AU>
Subject: Update on anticipated FOI reforms[~~SEC - PROTECTED, CAVEAT - SHI/CABINET~~]

~~PROTECTED//CABINET~~

Colleagues

Further to my below email, and following updates from AGD through the IDC, the current list of proposals under consideration, and initial Treasury views on them is here: s 47E(d)

s 47E(d)

s 47C, s 47E(d)

s 47C, s 47E(d)

s 22

s 22

If you would like to discuss, please reach out to Kate White or Helen Sykes.

Kind regards
Chris

~~PROTECTED//CABINET~~

~~PROTECTED//CABINET~~

From: Leggett, Chris s 22 @TREASURY.GOV.AU>
Sent: Thursday, 3 July 2025 7:29 AM
To: s 47E(d) @TREASURY.GOV.AU>
Cc: s 47E(d) @TREASURY.GOV.AU>
Subject: Update on anticipated FOI reforms[~~SEC-PROTECTED, CAVEAT-SH.CABINET~~]

~~PROTECTED//CABINET~~

Dear colleagues

s 34(3)

s 22

We will provide a further update to you all after this IDC about the best mechanism and timing for feeding in more detailed Treasury views s 47C, s 47E(d), but our current high-level preliminary view on the proposals is to support proposals that:

s 22

- promote consistent protection of information subject to secrecy provisions

s 22

We will also seek views from our portfolio agencies, based on their own interactions with the FOI Act.

If you would like to discuss ahead of the IDC on Friday, please reach out to Kate White (Thurs)/Helen Sykes (Friday) or David Hertzberg.

Kind regards

From: s 22
Sent: Tuesday, 15 July 2025 13:32
To: s 22 @finance.gov.au; s 22
s 22
Cc: Sykes, Helen; White, Kate; s 22
Subject: FW: TREASURY COMMENTS ON AGD PROPOSALS following Band 1 Inter-
Departmental Committee Meeting 2 - Friday 11 July 2025[SEC=PROTECTED,
CAVEAT-SH:CABINET, ACCESS-Legal Privilege]
Attachments: 250711 - Treasury comments on AGD reforms package.docx

Hi all

Please find **attached** Treasury's comments on AGD's proposed reforms package.

s 22

s 47C, s 47E(d)

I will send around a meeting invite shortly.

Happy to discuss.

Kind regards,

s 22

Legal Policy Unit | Legal Policy and Program Branch

The Treasury acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders both past and present.

s 22

TSY Comments - FOI reforms package

PAGES 2-6 HAVE BEEN
REMOVED AS IRRELEVANT
TO THE REQUEST

s 22



Treasury has an interest in amendments to the FOI Act which will:

s 22



- promote consistent protection of information subject to secrecy provisions

s 22



s 22



s 22

Commencement

Treasury is interested in any commencement and application provisions of these amendments. Treasury suggests that the legislation implementing these reforms should contain a clear application provision that applies the reforms to all new FOI applications received after the commencement date and any FOI applications underway at the commencement date. We note that the FOI applications to which the reforms apply would be subject to a significantly different statutory regime than those dealt with under the old regime. Treasury would welcome further information on any application provisions being considered for the reforms to assist in understanding whether the reforms would apply to all FOI applications received after the commencement date.

Treasury has set out its position against each of AGD's proposed amendments in the **attached**.

s 22

Attachment

Treasury positions on FOI proposals

No.	Summary/FOI Act provisions	TSY position
s 22		

s 22

25	Other amendments identified in agency consultation, including requested updates to relevant Schedules of the FOI Act	<ul style="list-style-type: none">Treasury requests section 128 of the <i>Foreign Acquisitions and Takeovers Act 1975</i> be inserted into Schedule 3 to the FOI Act.
----	---	---

s 22

s 22



From: White, Kate s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>

Sent: Monday, 21 July 2025 12:02 PM

To: Sloan, Isobel s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>; s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>;
s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>

Cc: Sykes, Helen s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>; Leggett, Chris s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>; Hertzberg,
David s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>; s 22 [@TREASURY.GOV.AU](mailto:s 22@TREASURY.GOV.AU)>


Subject: RE: [for advice] Attorney-General's Department - FOI Reform legislation s 22
s 22 SEC-PROTECTED, CAVEAT-SH.CABINET]

~~PROTECTED//CABINET~~

s 22



s 47C, s 47E(d)



s 47C, s 47E(d)

Is that ok from your perspective?

Very happy to discuss!
Kate

PROTECTED//CABINET

s 22

From: White, Kate s 22 @TREASURY.GOV.AU>
Sent: Monday, 21 July 2025 11:16 AM
To: Sloan, Isobel s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>
Cc: Sykes, Helen s 22 @treasury.gov.au>; Leggett, Chris s 22 @TREASURY.GOV.AU>; Hertzberg, David s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>
s 22 @TREASURY.GOV.AU>
Subject: RE: [for advice] Attorney-General's Department - FOI Reform legislation s 22
s 22 SEC-PROTECTED, CAVEAT-SH.CABINET]

~~PROTECTED//CABINET~~

Thanks, Isobel, and sorry for not closing the loop on Thursday!

AGD seem happy to include the FATA measure in the schedule to update with a bunch of other things s 22
s 22

I said to let us know if there may be issues and we could brief our office if necessary.

Thanks again and happy to discuss!
Kate

~~PROTECTED//CABINET~~

From: Sloan, Isobel s 22 @TREASURY.GOV.AU>

Sent: Friday, 18 July 2025 4:30 PM

To: White, Kate s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>;

Brown, Philippa s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>

Cc: Spear, Luke @treasury.gov.au>; Sykes, Helen s 22 @treasury.gov.au>; Leggett, Chris

s 22 @TREASURY.GOV.AU>; Hertzberg, David s 22 @TREASURY.GOV.AU>; s 22

s 22 @TREASURY.GOV.AU>; s 22 @TREASURY.GOV.AU>

Subject: RE: [for advice] Attorney-General's Department - FOI Reform legislation Cabinet Submission - costs and charges[]

~~PROTECTED//CABINET~~

Hi Kate

Thanks for sharing this. Any luck getting an update on the FID proposal?

Kind regards,

Isobel

Isobel Sloan — Assistant Secretary

Policy, Governance and Market Intelligence Branch

Foreign Investment Division

s 22

s 22

PROTECTED//CABINET

s 22

From: s 22
Sent: Friday, 25 July 2025 09:19
To: s 22
Cc: Wells, Erin; White, Kate; s 22
Subject: For info: FOI Reforms s 34(2)
Attachments: MS25-002260.docx

Hi Lauren

s 34(2)

I've also assigned through PDMS. Erin has cleared the briefing.

Kind regards,

s 22

Legal Policy Unit | Legal Policy and Program Branch
Law Division

s 22

treasury.gov.au

Langton Crescent, Parkes ACT 2600

[Twitter](#) | [LinkedIn](#) | [Facebook](#)

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From: Sloan, Isobel
Sent: Tuesday, 29 July 2025 4:00 PM
To: Tinning, Chris; s 22
Subject: s 34(3) - Freedom of Information Act reform[~~SEC - PROTECTED, CAVENT SH: CABINET~~]

~~PROTECTED//~~ [REDACTED]

s 34(3) s 22
s 22 and LD is talking to AGD accordingly.

Kind regards,

Isobel

Isobel Sloan — Assistant Secretary
Policy, Governance and Market Intelligence Branch
Foreign Investment Division

s 22

s 22

~~PROTECTED//CABINET~~

s 22

From: Sykes, Helen

Sent: Wednesday, 23 July 2025 9:16 AM

To: s 22 <s 22@TREASURY.GOV.AU>

Cc: s 47E(d) <[s 47E\(d\)@TREASURY.GOV.AU](mailto:s 47E(d)@TREASURY.GOV.AU)>; s 47E(d) <[s 47E\(d\)@Treasury.gov.au](mailto:s 47E(d)@Treasury.gov.au)>; s 47E(d) <[s 47E\(d\)@TREASURY.GOV.AU](mailto:s 47E(d)@TREASURY.GOV.AU)>; s 47E(d) <[s 47E\(d\)@TREASURY.GOV.AU](mailto:s 47E(d)@TREASURY.GOV.AU)>; s 22 <s 22@TREASURY.GOV.AU>

Subject: Heads up - s 34(3)

Good mornings s 22

s 34(3)

s 22

s 34(3)

s 22

- Minor amendments to exempt documents to which secrecy provisions apply in the *Foreign Acquisitions and Takeovers Act 1975*- disclosure under the FOI Act.

Kind regards,

Helen Sykes — Assistant Secretary

Legal Policy and Program Branch

Law Division

s 22

treasury.gov.au

Langton Crescent, Parkes ACT 2600

[Twitter](#) | [LinkedIn](#) | [Facebook](#)

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From: s 22
Sent: Tuesday, 29 July 2025 14:33
To: White, Kate; Sykes, Helen
Cc: s 22
Subject: [For clearance] Update - s 34(3)
s 34(3) SEC-PROTECTED, CAVEAT-SH: CABINET]

~~PROTECTED//~~ [REDACTED]

Hi Kate, Helen – thought we could provide this update over the top of Helen’s last email but happy to discuss.

Welcome your comments!

Thanks
s 22

Hi all

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[REDACTED]

s 34(3)

s 34(3)

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s 22

[REDACTED]

We are happy to discuss further.

s 22

Law Design – Markets, Macroeconomic, International & Foreign Investment Branch | s 22

From: Sykes, Helen
Sent: Tuesday, 26 August 2025 09:13
To: Wells, Erin
Cc: White, Kate; Burke, Liam; Hertzberg, David; s 22
Subject: FW: FOI reform s 22 [S
~~CAVEAT-SH.CABINET]~~
Attachments: s 22

~~PROTECTED//CABINET~~

Erin, for you to send to Mehak, cc'ing in Vic, Pip Brown, Luke Spear, s 47E(d)

Dear Mehak

As discussed, here is some information about the reforms to the *Freedom of Information Act 1982* being led by AGD.

s 22



s 22

- **FATA amendments:** The amendments will create an exemption for documents created for the purposes of the *Foreign Acquisitions and Transactions Act 1975* so that they are not released under the FOI Act. We're continuing to engage with AGD s 22

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s 22

Please let me know if you would like any further information. Otherwise, I will update you when the introduction of the bill is likely.

~~PROTECTED//CABINET~~

From: s 22 @TREASURY.GOV.AU>

Sent: Monday, 25 August 2025 10:42 PM

To: Sykes, Helen s 22 @treasury.gov.au>

Cc: White, Kate s 22 @TREASURY.GOV.AU>; Hertzberg, David s 22 @TREASURY.GOV.AU>; s 22

s 22 @TREASURY.GOV.AU>

Subject: FW: FOI reform -s 22 [SEC-PROTECTED, CAVEAT-SH:CABINET]

~~PROTECTED//CABINET~~

Hi Helen

Here is a draft email for Erin to send to Mehak on Tuesday morning by way of briefing on FOI.

s 22

** ** *

Dear Mehak

As discussed, here is some information about the reforms to the *Freedom of Information Act 1982* being led by AGD.

s 22



- The amendments will create an exemption for documents created for the purposes of the *Foreign Acquisitions and Transactions Act 1975* so that they are not released under the FOI Act. We're continuing to engage with AGD

s 22



s 22



Please let me know if you would like any further information. Otherwise, I will update you when the introduction of the bill is likely.

~~PROTECTED//CABINET~~

From: White, Kate s 22 s 22@TREASURY.GOV.AU>
Sent: Monday, 25 August 2025 5:23 PM
To: Wells, Erin s 22 s 22@TREASURY.GOV.AU>
Cc: Sykes, Helen s 22 s 22@treasury.gov.au; s 22 s 22@TREASURY.GOV.AU>; Hertzberg, David
s 22 s 22@TREASURY.GOV.AU>
Subject: FW: FOI reform s 22 [SEC-PROTECTED, CAVEAT-SH:CABINET]

~~PROTECTED//CABINET~~

Hi Erin

As discussed, s 22 Helen will provide you with an update for Mehak tomorrow morning, but as a quick update – based on the attached current drafting of the FOI Bill (and noting we haven’t seen the whole Bill), BPD is broadly comfortable with the changes.

s 22

Thanks,
Kate

~~PROTECTED//CABINET~~

s 22

From: Wells, Erin
Sent: Tuesday, 26 August 2025 10:05 AM
To: s 47E(d) s 47E(d)
Cc: Brown, Philippa; Tinning, Chris; Spear, Luke; s 22 s 22
Subject: Update - FOI reform s 22
s 22 SEC-PROTECTED, CAVEAT-SH.CABINET]
Attachments: s 22

~~PROTECTED//CABINET~~

Dear all

A quick update on where the reforms to the *Freedom of Information Act 1982* being led by AGD are up to:

s 22

s 22

- **FATA amendments:** The amendments will create an exemption for documents created for the purposes of the *Foreign Acquisitions and Transactions Act 1975* so that they are not released under the FOI Act. We're continuing to engage with AGD s 22

s 22

s 22

Please let me know if you would like any further information. Otherwise, I will update you when the introduction of the bill is likely.

Erin

Erin Wells

First Assistant Secretary and Chief Counsel
Law Division

s 22

The Treasury acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders both past and present.



LGBTIQ+ Ally

~~PROTECTED//CABINET~~

~~PROTECTED//CABINET~~

s 22

~~PROTECTED//CABINET~~

From: s 22
Sent: Friday, 29 August 2025 2:05 PM
To: s 22
Cc: s 22 s 47E(d)
Subject: RE: Request for an urgent approval letter - FATA and FOI Act[~~SEC-PROTECTED,~~
~~CAVEAT=SR.CABINET~~]

~~PROTECTED//CABINET~~

Hi s 22

Here is some brief Q&A material which we also provided to the Treasurer's office in the brief that went up today.

Questions and Answers

What is the effect of the amendment?

This amendment means that protected information under the *Foreign Acquisitions and Takeovers Act 1975* is exempt under section 38 of the FOI Act. The exemption applies to original decisions and decisions on review or appeal made after commencement (including at the ART) even where the original application was made prior to commencement.

Why is it necessary?

Unlike many equivalent secrecy regimes, the protected information regime under the foreign investment framework was not listed in Schedule 3 to the *Freedom of Information Act 1982*. This amendment corrects that.

Preserving investor confidence and willingness to share information with the regulator is vital for protecting the integrity of the foreign investment framework. This means unreleased protected information should be safeguarded to the fullest extent possible.

Why is it necessary for it to operate where all rights of review and appeal have not been exhausted?

Preserving investor confidence and willingness to share information with the regulator is vital for protecting the integrity of the foreign investment framework. This means unreleased protected information should be safeguarded to the fullest extent possible and not be disclosed regardless of the timing of the request for access.

What will be the effect on cases under consideration by the court or tribunal?

As with other situations where the law is amended, decisions being remade will need to be made under the law at the time the decision is remade. The practical effect will be that the exemption from disclosure will become available to documents where the review or appeal process has not concluded.

s 22

s 22

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~~PROTECTED//CABINET~~

From: s 22 @ag.gov.au>

Sent: Friday, 29 August 2025 1:25 PM

To: s 22 @TREASURY.GOV.AU>

Cc: s 22 @ag.gov.au>

Subject: RE: Request for an urgent approval letter - FATA and FOI Act[

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~~PROTECTED//CABINET~~

Thank Liam, that is good news.

Thanks too for progressing the TPs/ Q&As for the debate brief. Unfortunately our deadlines are still tight on this one and we require by this afternoon.

Regards

s 22

s 22

Information Law Branch

s 22

~~PROTECTED//CABINET~~

~~PROTECTED//CABINET~~

From: s 22 @TREASURY.GOV.AU>

Sent: Friday, 29 August 2025 1:10 PM

To: s 22 @ag.gov.au>

Cc: Orr, Dianne s 22 @ag.gov.au>; s 22 @ag.gov.au>; s 22

s 22 @ag.gov.au>; Wells, Erin s 22 @TREASURY.GOV.AU>; White, Kate

s 22 @TREASURY.GOV.AU>; Sykes, Helen s 22 @treasury.gov.au>; s 47E(d)

s 47E(d) @TREASURY.GOV.AU>

Subject: RE: Request for an urgent approval letter - FATA and FOI Act[~~SEC-PROTECTED, CAVEAT-SH.CABINET~~]

~~PROTECTED//CABINET~~

Hi s 22

The attached letter is with the Treasurer's office.

s 22

s 22
Legal Policy & Program Branch | Law Division

The Treasury acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders both past and present.

~~PROTECTED//CABINET~~

From: s 22
Sent: Friday, 29 August 2025 11:35 AM
To: s 22 <[redacted]@ag.gov.au>
Cc: Orr, Dianne s 22 <[redacted]@ag.gov.au>; s 22 <[redacted]@ag.gov.au>; s 22 <[redacted]@ag.gov.au>; Wells, Erin s 22 <[redacted]@TREASURY.GOV.AU>; White, Kate s 22 <[redacted]@TREASURY.GOV.AU>; Sykes, Helen s 22 <[redacted]@treasury.gov.au>
Subject: RE: Request for an urgent approval letter - FATA and FOI Act[~~SEC - PROTECTED, CAVEAT - C//CABINET~~]

Thanks s 22

We're preparing the letter and have advised the Treasurer's office that it's required by midday tomorrow.

s 22

[redacted]
s 22
Legal Policy & Program Branch | Law Division

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s 22

From: Sykes, Helen
Sent: Wednesday, 3 September 2025 9:51 AM
To: s 22
Cc: Wells, Erin; White, Kate; s 22 Robinson, Jessica
Subject: FOI - FATA provisions - Q&A (from MS25-002563)[~~SEC - PROTECTED~~]

~~PROTECTED~~

s 22

The Q&As (together with some further information and justification) can be found in [Attachment A](#) of **MS25-002563** which I've copied below for ease of reference:

Questions and Answers

What is the effect of the amendment?

This amendment means that protected information under the *Foreign Acquisitions and Takeovers Act 1975* is exempt under section 38 of the FOI Act. The exemption applies to original decisions and decisions on review or appeal made after commencement (including at the ART) even where the original application was made prior to commencement.

Why is it necessary?

Unlike many equivalent secrecy regimes, the protected information regime under the foreign investment framework was not listed in Schedule 3 to the *Freedom of Information Act 1982*. This amendment corrects that.

Preserving investor confidence and willingness to share information with the regulator is vital for protecting the integrity of the foreign investment framework. This means unreleased protected information should be safeguarded to the fullest extent possible.

Why is it necessary for it to operate where all rights of review and appeal have not been exhausted?

Preserving investor confidence and willingness to share information with the regulator is vital for protecting the integrity of the foreign investment framework. This means unreleased protected information should be safeguarded to the fullest extent possible and not be disclosed regardless of the timing of the request for access.

What will be the effect on cases under consideration by the court or tribunal?

As with other situations where the law is amended, decisions being remade will need to be made under the law at the time the decision is remade. The practical effect will be that the exemption from disclosure will become available to documents where the review or appeal process has not concluded.

Kind regards,

Helen Sykes — Assistant Secretary

Legal Policy and Program Branch
Law Division

s 22

treasury.gov.au

Langton Crescent, Parkes ACT 2600

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