

Senate Standing Committee on Economics
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Inquiry into the FOREIGN INVESTMENT PROPOSALS
2019 - 2020

Division: Foreign Investment Division
Topic: Consistency in Conditions
Reference: Written

Question:

In the 2018–19 regulator performance framework report, it was noted Treasury was working to achieve more consistency in conditions imposed on applications.

- a) What type of lack of consistency was identified in conditions?
- b) Why was this lack of consistency occurring?

Answer:

The use of conditions to address potential risks to the national interest has increased as a result of responding to changes in the investment environment.

As applications are assessed on a case by case basis, customised conditions were often developed having regard to a) input from consultation partners, which changed over time as risk assessments changed, and b) input from applicants as part of the natural justice process.