



**Senator the Hon Anthony Chisholm**  
Assistant Minister for Education  
Assistant Minister for Regional Development  
Assistant Minister for Agriculture, Fisheries and Forestry

Ref: MS25-000403

President of the Senate  
Parliament House  
CANBERRA ACT 2600

Dear President

I have attached a letter for tabling from the Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government. This letter relates to the Order for the Production of Documents No. 756.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A. Chisholm'.

**Anthony Chisholm**

13/2/2025

Enc



## The Hon Catherine King MP

Minister for Infrastructure, Transport, Regional Development and Local Government  
Member for Ballarat

Ref: MS25-000403

Senator the Hon Anthony Chisholm  
Assistant Minister for Regional Development  
Parliament House  
CANBERRA ACT 2600

Dear Assistant Minister

I refer to the Order for Production of Documents No. 756, moved by Senator McKenzie and agreed by the Senate on 6 February 2025.

It has long been recognised that there is information held by Government that it would not be in the public interest to disclose. I have determined that it is appropriate to make a full public interest immunity claim over the documents covered by the Order for the following reasons.

The documents contain commercially sensitive information, including regarding the ongoing voluntary administration of Rex Airlines. This information was provided to the Government on a confidential basis and its disclosure could damage the commercial interests of the parties that provided it. In particular, the release of this information may be prejudicial to creditors interests and therefore result in a breach of the Administrators' statutory duties to creditors.

Release would also prejudice the Government's ability to engage in future transactions with commercial parties to achieve Government policy objectives. Such disclosure would not be in the public interest as it would prejudice the Government's future ability to obtain relevant commercial information from stakeholders to inform the Government's proper consideration of a range of policy matters.

The Voluntary Administrators of Rex Airlines intend to open a competitive sale process for the airline this month. Release of the material would necessarily disclose information about Rex Airlines, including information about its financial position.

Disclosure of such information could compromise the integrity, and adversely affect the conduct and/or outcome, of the Voluntary Administration process and potentially disadvantage certain parties. Furthermore, disclosure could potentially adversely affect or interfere with the Administrators' open market sale process aimed at securing the sale of Rex Airlines as a going concern to the private sector as well as the price that is able to be achieved for Rex Airlines. It is in the public interest for Rex Airlines to be sold as a going concern to help ensure the continuity of aviation services to regional communities across Australia.

The documents also contain information, including deliberative advice to Government, the disclosure of which could undermine the process of government decision-making and policy development in Australia.

The documents also contain and refer to legal advice that is subject to legal professional privilege. It is not in the public interest to depart from the long-standing practice of successive Australian Governments to not disclose privileged legal advice. Governments need continued access to such advice for the development of sound Commonwealth policy and decision-making.

The documents also contain information which if released would disclose deliberations of Cabinet. It is a long held and accepted principle that Cabinet deliberations be appropriately protected to ensure such decisions can be discussed in an open manner preserving Cabinet unity. It is in the public interest to continue to uphold this principle and ensure Cabinet remains an appropriate forum for confidential, frank and informed consideration of policy advice by the Executive. Releasing material that discloses Cabinet deliberations could compromise the Cabinet's continued ability to receive confidential information to inform its deliberations and materially impact its ability to make fully-informed decisions.

I would appreciate your assistance in conveying this information to the President of the Senate.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Catherine King', with a long, sweeping flourish extending to the right.

Catherine King MP

13/12/2025