

NOTICE UNDER SECTION 82(1)(a) – FINANCIAL MANAGEMENT ACT 2006

**GENERIC QUESTION 1.9 OF THE LEGISLATIVE COUNCIL
STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS
BUDGET ESTIMATES HEARINGS**

Pursuant to section 82(1)(a) of the *Financial Management Act 2006*, I give notice to both Houses that I am unable to provide an answer to generic question 1.9 of the Legislative Council Standing Committee on Estimates and Financial Operations budget estimates hearings, as it relates to the Departments of Education, Education Services and Aboriginal Affairs.

Notice is also being provided to the Auditor General, as required under section 82(1)(b) of the *Financial Management Act 2006*.

Generic question 1.9 said “*Please provide a copy of your 10 Year Strategic Asset Investment Plan*”.

In making this decision I have considered the public interest and while the public has a general right of access to information held by government agencies, this right has to be balanced against the need to protect the confidentiality of Cabinet documents, discussions and decisions which is regarded as essential for the maintenance of Cabinet collective responsibility and frankness between Ministers and officials.

The information requested has not been provided for the following reasons:

Strategic Asset Plans (SAPs) are prepared for Treasury as part of the Budget process to inform decision making by the Economic and Expenditure Reform Committee and Cabinet. Disclosure of these plans would reveal Budget-related advice to both bodies which is Cabinet-in-confidence. Until such time as specific programs within a SAP have been considered and approved to proceed they remain indicative. Additionally and understandably, 10 year SAPs are subject to a wide variety of exigencies including but not limited to priorities of the government of the day; changes in circumstances; changes in technologies and external events.

It is noted that some information contained in SAPs is published in the Annual Budget Papers in the forward estimates for agencies, particularly approved capital works expenditure. That information is already published and there is little in the SAPs that will add to the published information and associated public announcements made by government.



Hon Peter Collier MLC

MINISTER FOR EDUCATION; ABORIGINAL AFFAIRS; ELECTORAL AFFAIRS

19 AUG 2016