Section 82 Notice – Financial Management Act 2006

Pursuant to section 82 of the Financial Management Act 2006, I give notice to both houses that I am unable to provide an answer to question F6 of the Estimates and Financial Operations Committee Annual Report Hearing - Questions Taken on Notice.

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

Question F6 said “As of today, what is the current potential shortfall of pine resources by volume and value?”

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

The quantity of the potential shortfall in pine timber is information that is commercial-in-confidence to customers under the Forest Products Commission's production contracts. Disclosure of the details of the shortfall has the potential to damage the commercial interests of the companies concerned.

The general information about the existence contained in the contingent liability note in the Forest Products Commission’s Annual Report is sufficient advice to satisfy the public interest.

In relation to the quantity of the potential shortfall the State Solicitor’s Office has advised that there is a reasonable prospect of litigation. Release of information as to the potential shortfall would be prejudicial to the state's legal position.

As stated in Note 34 of the Annual Report it is not possible to provide a reliable estimate for the value of the potential shortfall of timber due to the high degree of uncertainty.

Hon Mia Davies MLA
MINISTER FOR FORESTRY

17 NOV 2016