



**Government
of South Australia**

TRS20D2612

Hon Stephen Mullighan MP
Member for Lee
Unit 1, 62 Semaphore Road
SEMAPHORE SA 5019

lee@parliament.sa.gov.au

Treasurer
Level 8
State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 2264
Adelaide SA 5001
DX 56203 Victoria Square
Tel 08 8226 1866
treasurer.dtf@sa.gov.au


Dear Mr Mullighan

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 5 August 2020.

Your application seeks access to:

"All minutes, briefings and correspondence titled 'Underwriting of Voltage Regulation – Approval Under Treasurer's Instruction 20 – Guarantees and Indemnities' as described on the Objective document management system, between 9 April and 5 August 2020."

The prescribed legislative timeframe to determine this application has expired and is deemed as refused access to documents relevant to your application. I refer to my letter dated 18 August 2020 where I sought additional time to make my determination.

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. A total of 2 documents were identified as answering the terms of your application.

I grant you access in part to 2 documents; copies of which are enclosed.

Documents Released in Part

Document 1 is a briefing prepared by the Executive Director of Budget and Performance within the Department of Treasury and Finance. This briefing was prepared for the Treasurer following advice given by the Minister for Energy and Mining to Cabinet.

Document 2 is a minute from myself, as Treasurer, to the Minister for Energy and Mining referring to a submission which was taken to Cabinet by the Minister on this subject.

Documents 1 and 2 are released in part as both documents contains information concerning a Cabinet decision. I therefore determine this exempt pursuant to clause 1(1)(e).

Exemptions

Clause 1 – Cabinet Documents

- (1) *A document is an exempt document—*
- (a) *if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted); or*
 - (b) *if it is a preliminary draft of a document referred to in paragraph (a); or*
 - (c) *if it is a document that is a copy of or part of, or contains an extract from, a document referred to in paragraph (a) or (b).*
 - (e) *if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet; or*
 - (f) *if it is a briefing paper specifically prepared for the use of a Minister in relation to a matter submitted, or proposed to be submitted to Cabinet.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the Act.

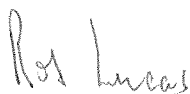
In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

21 November 2020

Att.

Schedule of Documents

TRS20D2612 - Voltage Regulation - Approval under Treasurer's Instruction 20 - Guarantees and Indemnities

Doc. No.	Date	Description of Document	# of pages	Determination Recommendation	Exemption Clause	Reason
1	11/06/2020	Briefing to Treasurer from Executive Director, Budget and Performance, DTF	2	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee	
2		Attachment 1 to Document 1	1	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee	

RELEASE IN PART

MINUTE

12/06/2020
T.20/014
to 120 P1939



MINUTES forming ENCLOSURE

File T&F19/0364

Doc No A1460723

To The Treasurer

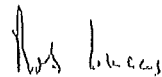
UNDERWRITING OF VOLTAGE REGULATION – APPROVAL UNDER TREASURER'S
INSTRUCTION 20 – GUARANTEES AND INDEMNITIES.

Timing: Urgent

Recommendations/Issues: It is recommended that you:

- [REDACTED] advised Cabinet [REDACTED]
- [REDACTED]
- [REDACTED]
- note that pursuant to the requirements of Treasurer's Instruction 20 (Guarantees and Indemnities) the underwriting of this project will require your formal approval;
- [REDACTED]
- sign the attached minute to the Minister for Mining and Energy advising him of your approval.

Approved/Not-Approved





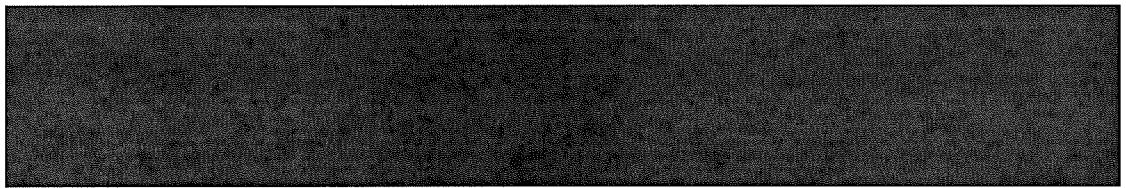
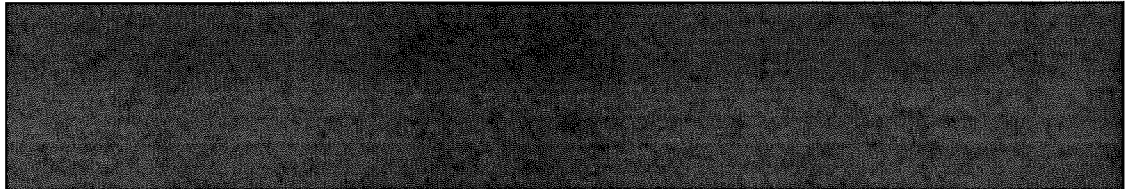



Hon Rob Lucas MLC
Treasurer

13/6/2020



Key Points:

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- A minimum level of demand is required to ensure the security (stability) of the State's power system.
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- The provision of this underwriting commitment would require your separate approval under the provisions of TI 20. TI 20 (Section 8) states that "A Minister or administrative unit requiring a guarantee or indemnity in respect of its operations may request the Treasurer to give a guarantee or indemnity under the *Public Finance and Audit Act 1987* (or other relevant Act of Parliament for which the Treasurer is the responsible Minister)".
- It is recommended that you approve the provision of an underwriting commitment for costs  pursuant to Section 8 of TI 20.

- A draft response to the Minister, advising of your decision is attached for your consideration.



Tammie Pilbanic
EXECUTIVE DIRECTOR
BUDGET AND PERFORMANCE

11 June 2020

Contact Officer:	Greg Fenn
Telephone:	842 90592
Email address:	Greg.fenn@sa.gov.au



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of South Australia**

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MINUTES *forming* ENCLOSURE to:

Physical ID: TRS20D1929

**TO: HON DAN VAN HOLST PELLEKAAN
MINISTER FOR ENERGY AND MINING**

RE: UNDERWRITING OF VOLTAGE REGULATION PROJECT

I refer to your recent Note to Cabinet [REDACTED]

[REDACTED]

[REDACTED]

In accordance with *Treasurer's Instruction 20 (Guarantees and Indemnities)*, I advise that I have approved [REDACTED]

[REDACTED]

Hon Rob Lucas MLC
Treasurer

13 June 2020