

# The Treasury

## Overseas Investment in Forestry Information Release

September 2019

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### Information withheld

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act).

Where this is the case, the relevant sections of the Act that would apply have been identified.

Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to sections of the Act under which information has been withheld:

- [1] 6(a) - to avoid prejudice to the security or defence of New Zealand or the international relations of the government
- [2] 9(2)(a) - to protect the privacy of natural persons, including deceased people
- [3] 9(2)(f)(iv) - to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials
- [4] 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
- [5] 9(2)(h) - to maintain legal professional privilege
- [6] 9(2)(k) - to prevent the disclosure of official information for improper gain or improper advantage

Where information has been withheld, a numbered reference to the applicable section of the Act has been made, as listed above. For example, a [1] appearing where information has been withheld in a release document refers to section 6(a).

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## Treasury Report: Overseas Investment Act Forestry RIS

<b>Date:</b>	23 February 2018	<b>Report No:</b>	T2018/418
		<b>File Number:</b>	IM-5-8-2

### Action Sought

	Action Sought	Deadline
Minister of Finance (Hon Grant Robertson)	<b>Note</b> the contents of this report.	None.
Associate Minister of Finance (Hon David Parker)	<p><b>Review</b> the attached Regulatory Impact Statement.</p> <p><b>Agree</b> to attach the Regulatory Impact Statement to the Cabinet Paper when it is lodged on Tuesday</p> <p><b>Refer</b> this briefing and the attached RIS to the Minister for Land Information.</p>	27 February 2018.

### Contact for Telephone Discussion (if required)

Name	Position	Telephone	1 <sup>st</sup> Contact
Steve Cantwell	Principal Advisor, Overseas Investment	[6]	[6] ✓
Thomas Parry	Team Leader, Overseas Investment	[6]	[6]

### Actions for the Minister's Office Staff (if required)

**Return** the signed report to Treasury.  
**Refer** to the Minister for Land Information

Note any feedback on the quality of the report

**Enclosure:** Yes (attached)

## Treasury Report: Overseas Investment Act Forestry RIS

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Attached is the Regulatory Impact Statement for the proposed amendments to the forestry screening regime under the Overseas Investment Act. This will need to be lodged along with the Cabinet paper with the Economic Development Committee by midday Tuesday 27 February 2018.

The Treasury's Regulatory Quality Team has provided the following statement to be included in the Cabinet Paper when it is finalised post Ministerial consultation –

*The Regulatory Impact Analysis Team has considered this Regulatory Impact Statement (RIS) because it relates to an amendment to the Overseas Investment Act 2005, which was introduced as part of the Government's 100-day plan.*

*The RIS shows that alternative approaches to achieve the Government's objectives have been considered, and clearly sets out how the adopted approaches are intended to work. However, the analytical and time constraints, in particular the lack of opportunity to consult with forestry and other holders of profits à prendre rights, mean that it has not been possible to fully consider the likely impacts of the proposals in practice. These have been acknowledged in the RIS. This includes impacts on the relative attractiveness of different ways of investing in New Zealand forestry and the willingness of overseas investors to invest, and therefore their potential ability to help achieve the Government's broader objectives in forestry.*

*It would be desirable, as far as possible, to consult further with a broader range of stakeholders before the new requirements are finalised and in due course to monitor their impact, for example by looking for evidence of a change in the level and nature of screening applications received after the new arrangements are introduced.*

### Recommended Action

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We recommend that you:

- a **review** the Regulatory Impact Statement
- b **agree** to attach the Regulatory Impact Statement to the Cabinet Paper when it is lodged on Tuesday
- c **refer** to the Minister of Land Information.

*Refer/not referred.*

Thomas Parry  
**Team Leader, Overseas Investment**

Hon David Parker  
**Associate Minister of Finance**