

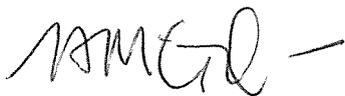
Section 82 Notice – Financial Management Act 2006

Pursuant to section 82(1)(a) of the *Financial Management Act 2006*, I give notice to both houses that the Minister for Fisheries was unable to provide an answer to Legislative Council Question without Notice 342.

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

The question refers to tabling a copy of the legal advice provided to the Department of Fisheries on the rebate scheme.

The Minister for Fisheries was unable to provide a copy of the legal advice provided to the Department of Fisheries on the rebate scheme as the legal advice is subject to legal professional privilege.

A handwritten signature in black ink, appearing to read 'SIMONE MCGURK', followed by a horizontal line.

Hon Simone McGurk MLA
A/MINISTER FOR FISHERIES

SHARK DETERRENT DEVICES — SUBSIDY

342. **Hon RICK MAZZA to the minister representing the Minister for Fisheries:**

I refer to part (3) of my question 315 asked on Wednesday 28 June, 2017, which reads —

Given that this subsidy is highly indicative of the government's confidence in the effectiveness and reliability of these devices, has the government sought legal advice on the state's exposure to claims for compensation should a subsidised device prove ineffective in a shark attack event?

and the Minister's response reads —

I understand the Department of Fisheries has sought legal advice on the rebate scheme.

- (1) Can the minister provide a copy of the legal advice provided to the Department of Fisheries on the rebate scheme?
- (2) If not, why not?

Hon ALANNAH MacTIERNAN replied:

I thank the member for notice of the question. The Minister for Fisheries has provided the following answer.

- (1) No.
- (2) The legal advice is subject to legal professional privilege.