

From: Thomas, Trevor
Sent: Thursday, 7 November 2019 4:28 PM
To: s 22
Subject: 191107 Fwd: Follow up from the meeting this morning [DLM=For-Official-Use-Only]

Sent from my iPad

Begin forwarded message:

From: s 22
Date: 7 November 2019 at 4:26:38 pm AEDT
To: "Thomas, Trevor"
Cc: "Brake, Roger"
Subject: RE: Follow up from the meeting this morning [DLM=For-Official-Use-Only]

Yes, the Treasurer has agreed to proceed for the Friday, 15th announcement. s 22

s 22

Please send me the draft media release once it is worked up.

s 22

From: Thomas, Trevor
Sent: Thursday, 7 November 2019 1:24 PM
To: s 22
Cc: Brake, Roger
Subject: Follow up from the meeting this morning [DLM=For-Official-Use-Only]

Hi s 22

s 22

Is Friday the 15th now settled for the announcement on the case we discussed this morning?

Cheers

Trevor

Trevor Thomas PSM

Principal Adviser

Foreign Investment Division | Markets Group

P +61 2 6263 2839 | s 22

E Trevor.Thomas@treasury.gov.au

s 22

From: Thomas, Trevor
Sent: Wednesday, 13 November 2019 7:11 PM
To: s 22
Cc: Brake, Roger
Subject: 191113 Re: Fact check_ Foreign Investment - Bellamy's - s 22 [DLM=Sensitive]

s 22

Yes I think it should say around s 45 staff rather than suggesting a precise figure. s 22
s 22
s 22 I think it is better to keep it broad but we'll need to make sure the media release is not inconsistent with the condition agreed to by the applicant.

Trevor

Sent from my iPad

On 13 Nov 2019, at 4:47 pm, s 22 wrote:

Trevor, s 22 - I think the changes look OK.
The reference to s 45 staff in Australia is broadly correct s 45
s 45 We could suggest 'around' s 45
Let me know if you have any other thoughts – otherwise I'll get back to s 22

From: s 22
Sent: Wednesday, 13 November 2019 2:42 PM
To: s 22
Cc: Thomas, Trevor ; Brake, Roger ; s 22
Subject: RE: Foreign Investment - Bellamy's - draft documents for comments [DLM=Sensitive]
s 22 this isn't a final version but can you please look over and let me know of any factual inaccuracies? Grateful if you can get back to me by midday tomorrow.

From: s 22 <@TREASURY.GOV.AU>
Sent: Wednesday, 13 November 2019 11:02 AM
To: s 22 <@TREASURY.GOV.AU>
Cc: Thomas, Trevor <Trevor.Thomas@TREASURY.GOV.AU>; Brake, Roger <Roger.Brake@TREASURY.GOV.AU> s 22 Tsr DLOs <TsrDLOs@TREASURY.GOV.AU>
Subject: Foreign Investment - Bellamy's - draft documents for comments [DLM=Sensitive]

s 22 - as discussed with Roger and Trevor, I've attached draft documents for the Bellamy's announcement:

- Treasurer's media release
- talking points + Q&As

s 22 We've set out below a proposed timeline for steps leading up to announcement. s 22

Proposed timeline – announcement on China Mengniu / Bellamy's Australia

| Date and time | Action | Responsibility for action |
|---------------|--------|---------------------------|
|---------------|--------|---------------------------|

| | | |
|-------------------|--|--------------------|
| Wednesday am | Send draft media release to Treasurer's Office | Treasury |
| Wednesday am | Send draft talking points and Q&As to Treasurer's Office | Treasury |
| s 22 | | |
| Thursday am | Provide feedback to Treasury on draft talking points, Q&As, s 22 | Treasurer's Office |
| s 22 | | |
| Friday, after 5pm | Issue media release | Treasurer's office |
| s 22 | | |

Let us know if you have any queries or would like us to follow anything up.

Cheers,

s 22


Manager, Foreign Investment Review Unit (Health, Agriculture and Mining)
 Foreign Investment Division
 The Treasury, Langton Crescent, Parkes ACT 2600

s 22
 s 22
 email s 22 [@treasury.gov.au](mailto:s22@treasury.gov.au)

s 22

From:
Sent:
To:
Cc:
Subject:

s 22
Thursday, 14 November 2019 7:35 AM
Thomas Trevor
s 22 [sr DLOs]; s 22 Brake, Roger s 22
191114 Announcement timing - Beilamy's [DLM=Sensitive]

Yes, but say an announcement is a possibility but not locked in. It's still tbc.

s 22

Office of the Hon. Josh Frydenberg MP
Treasurer | Deputy Leader of the Liberal Party | Member for Kooyong

On 14 Nov 2019, at 7:33 am, Thomas, Trevor wrote:

s 22

s 22 Can we inform them this morning that s 22 the Treasurer is expected to make an announcement concerning the decision after that time as well?

Trevor

s 22

s 22

From: s 22
Sent: Thursday, 14 November 2019 12:27 PM
To: s 22
Cc: Tsr DLOs; Thomas, Trevor; Brake, Roger; s 22
Subject: 191114 Fact check request- Foreign Investment - Bellamy's - draft documents for comments [DLM=Sensitive]
Attachments: 191114- Treasurer - Media Release - Bellamy's Decision MOV3.docx; Talking points - China Mengniu-Bellamys decision_TO.docx
Importance: High

Can you please fact check this media release and q and a pack please? Note the date is now 15th as it may go out before markets open tomorrow morning. Give me a call if there are issues. s 22

From: s 22
Sent: Thursday, 14 November 2019 9:38 AM
To: s 22
Cc: Tsr DLOs ; Thomas, Trevor ; Brake, Roger ; s 22
Subject: FW: Foreign Investment - Bellamy's - draft documents for comments [DLM=Sensitive]

s 22 - as discussed, we had minor comments on the revised press release:

- being less specific about the number of Bellamy's employees in Australia s 45
- s 47E(d)
- investment condition now refers to Victoria.

Happy to discuss,

s 22

email chain contained in document 2

s 22



THE HON JOSH FRYDENBERG MP
Treasurer

MEDIA RELEASE

15 November 2019

CONDITIONAL APPROVAL OF CHINA MENGNIU'S PROPOSED ACQUISITION OF BELLAMY'S AUSTRALIA

The Treasurer has provided conditional foreign investment approval for the proposed acquisition of Bellamy's Australia Ltd (Bellamy's) by China Mengniu Dairy Company Limited (China Mengniu).

The Foreign Investment Review Board (FIRB) has undertaken an extensive period of consultation that considered a wide range of issues: ^{s 45}
^{s 45}

Importantly, Consistent with the unanimous recommendation of the FIRB, the Treasurer has concluded ~~the the acquisition~~ acquisition is not contrary to the national interest.

This approval will ensure Bellamy's can continue to support jobs in Australia and strengthen its ability to expand its domestic market as well as its export opportunities, particularly into the growing Asian market will have benefits for ^{s 45} Bellamy's employees in its facilities ^{s 47E(d)} The decision will also provide opportunities for the suppliers that contribute to Bellamy's products, including Australian dairy farmers. The decision will also provide opportunities for the suppliers that contribute to Bellamy's products, including Australian dairy farmers.

In reviewing the application the Treasurer has imposed enforceable conditions on China Mengniu's acquisition of Bellamy's to ensure that this acquisition is not contrary to the national interest.

In particular, the conditions require:

- a majority of the Bellamy's Board of Directors to be Australian resident citizens;
- maintenance of the Bellamy's headquarters in Australia for at least ten years; and
- an investment of at least \$12 million in establishing or improving infant milk formula processing facilities in Victoria.

These conditions will ensure that Bellamy's maintains its presence in Australia, and that Bellamy's proceeds with previously announced investment in infant milk formula processing facilities. Bellamy's is number four in the Australian infant milk formula market. ^{s 45}

The Morrison Government welcomes foreign investment where it is consistent with our national interest. Without foreign capital and investment, Australia's output, employment and standard of living would be lower.

The conditional approval demonstrates our foreign investment rules can facilitate such an acquisition while giving assurance to the community that decisions are being made in a way which ensures that Australia's national interest is protected.

These conditions are enforceable under the *Foreign Acquisitions and Takeovers Act 1975* and penalties apply to foreign investors that do not comply with their obligations.

~~We expect all foreign investors to comply with the requirements under the *Foreign Acquisitions and Takeovers Act 1975*. Strict penalties apply to foreign investors that do not comply with their obligations.~~

Ends