Foreign Investment
Review Board
Annual Report 2003-04
The Hon Peter Costello, MP
Treasurer
Parliament House
CANBERRA ACT 2600

Dear Treasurer

In accordance with the Foreign Investment Review Board’s responsibility to advise the Government on foreign investment matters, I submit the Board’s Annual Report for the financial year 2003-04.

The Report outlines the activities of the Board, provides a summary of the year’s foreign investment proposals, comments on the more significant cases and reviews trends in foreign investment in Australia and Australian investment abroad. The Report also has a number of Appendices that provide supporting material on foreign investment policy, including a copy of the relevant legislation (including amendments resulting from the commencement of the Australia-United States Free Trade Agreement).

Yours sincerely

M.J. Phillips, AO
Chairman
CONTENTS

MAIN POINTS
2003-04 foreign investment proposals in summary ........................................................... vii
International investment issues ........................................................................................... viii

CHAPTER 1: FOREIGN INVESTMENT REVIEW BOARD
Functions of the Board ..............................................................................................................3
Membership ...............................................................................................................................3
Cost of the Board’s operations .................................................................................................4
Relationship of the Division to the Board ..............................................................................5
2003-04 outcomes ...................................................................................................................5
Administration of foreign investment policy ........................................................................5
Processing of proposals .........................................................................................................6
Consultation arrangements ..................................................................................................... 8
National interest .......................................................................................................................8
Handling of commercial-in-confidence and personal information ....................................... 9
Monitoring and compliance activity .......................................................................................9

CHAPTER 2: FOREIGN INVESTMENT PROPOSALS
Limitations of the Board’s data .............................................................................................15
Applications decided in 2003-04 .........................................................................................16
Approvals by sector ...............................................................................................................18
Approvals by country of investor ..........................................................................................27
Compliance ............................................................................................................................30

CHAPTER 3: OVERVIEW OF THE FOREIGN ACQUISITIONS AND TAKEOVERS ACT 1975
Introduction .............................................................................................................................35
Notification ............................................................................................................................35
Examination ...........................................................................................................................36
Other provisions of the Act ...................................................................................................38
Other aspects of foreign investment policy ...........................................................................38