

Privileges Committee

Citizen's Right of Reply (Mr G Mandarino)

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Terms of Reference

The inquiry was conducted in accordance with standing orders 202 and 203, which were adopted by the Legislative Council on 5 May 2004: *Minutes of the Proceedings of the Legislative Council*, No 52, Wednesday 5 May 2004, Entry No. 10.

Committee Membership

The Hon Peter Primrose MLC *Chair*

Australian Labor Party

The Hon Patricia Forsythe MLC *Deputy Chair*

Liberal Party

The Hon Amanda Fazio MLC

Australian Labor Party

The Hon Jennifer Gardiner MLC

National Party

The Hon Kayee Griffin MLC

Australian Labor Party

Revd The Hon Fred Nile MLC

Christian Democratic Party (Fred Nile Group)

The Hon Penny Sharpe MLC

Australian Labor Party

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Report

- 1.1 On 12 January 2006 the President of the Legislative Council, the Honourable Dr Meredith Burgmann MLC, received a submission from Mr Gino Mandarino, requesting the incorporation of a response under standing orders 202 and 203 of the Legislative Council relating to the protection of persons referred to in the Legislative Council.
- 1.2 The submission referred to statements made by the Honourable Catherine Cusack MLC, during the adjournment debate in the Legislative Council on 12 November 2003.¹ The President, having considered the submission under standing order 202 (2), referred it to the Privileges Committee on 25 January 2006.
- 1.3 The Committee met in private session on 5 April 2006, and decided, according to standing order 203, to consider the submission. The response, which the Committee now recommends for incorporation in *Hansard*, has been agreed to by Mr Mandarino and the Committee in accordance with standing order 203 (4)(b).
- 1.4 The Committee draws attention to standing order 203 (3)(b) which requires that, in considering a submission under the resolution, the Committee must not consider or judge the truth of any statements made in the House or in the submission.
- 1.5 The Committee recommends:

Recommendation 1

That a response by Mr Mandarino, in the terms specified at Appendix 1, as agreed to by Mr Mandarino and the Committee, be incorporated in *Hansard*.



The Hon. Peter Primrose MLC

Chair

¹ *Hansard*, 12 November 2003, p. 4788.

Appendix 1

**Response by Mr Mandarino,
agreed to by Mr Mandarino
and the Committee,
according to standing order
203 (4)(b)**

Appendix 1

Reply to comments by the Honourable Catherine Cusack MLC in the Legislative Council on 12 November 2003

In accordance with Standing Order 202, I make this submission on the basis that my reputation, and dealings and associations with others have been adversely affected by a statement made in the Legislative Council by the Honourable Catherine Cusack MLC in a speech on 12 November 2003.

In her speech the Honourable Catherine Cusack MLC referred to the Port Kembla Main Street program, for which I had responsibility in my former position as Economic Development Coordinator, Port Kembla Chamber of Commerce and Industry. She then stated that:

Mr Gino Mandarino – who, I hear, continues to have his eye on preselection for Throsby – has been paid \$50,000 to run this program. Where are the accountabilities for taxpayers' funds on this project?

On 18 September 2003, I publicly announced that I was not a candidate for Australian Labor Party preselection in Throsby. This was reported in the *Illawarra Mercury* and *ABC Illawarra* on 19 September 2003.

Further, any suggestion that public funds allocated to the program were not properly managed or accounted for is incorrect. All conditions set out in the government funding offer for the Mains Street/Small Towns program were met, and this has been verified by the NSW Department of State and Regional Development.