

Adam Searle MLC

Leader of the Opposition in the Legislative Council
Shadow Minister for Industry, Resources and Energy
Shadow Minister for Industrial Relations



Thursday, 10 May 2018

Hon Keith Mason AC QC
Chairperson - Electoral Commission of NSW
GPO Box 832
SYDNEY NSW 2001

Document tendered by

Mr Adam Searle

Received by

Beverly Duffy

Date: 06/09/2018

Resolved to publish Yes / No

Dear Chairperson,

I wish to bring to your attention an article published in The Australian newspaper on 9 April 2018 entitled "Lib fixer helps rail firm sue state."

The article concerns the activities of Mr Michael Photios, a well-known Liberal Party identity and lobbyist, and his association with Acciona the company constructing the ill-fated CBD light rail project. The article states:

The Australian has been told that last year Mr Photios contacted Ms Berejiklian's chief of staff, Sarah Cruickshank, on the matter while he was acting for Acciona's lawyers but he was given short shrift.

My concern is that Mr Photios's lobbying firm, Premier State, only declared Acciona as a client on 23 March 2018. If the claim made in The Australian is correct, then Mr Photios was seeking to lobby government officials on behalf of a client that had not yet been declared.

I would appreciate it if you could consider this matter and advise if any breaches of the *Lobbying of Government Officials Act 2011* may have occurred.

Yours sincerely

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Shadow Minister for Industry, Resources and Energy

Our ref: 20180522-1800031-EC-FDC

The Hon Adam Searle MLC
Leader of the Opposition in the Legislative Council
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

23 May 2018

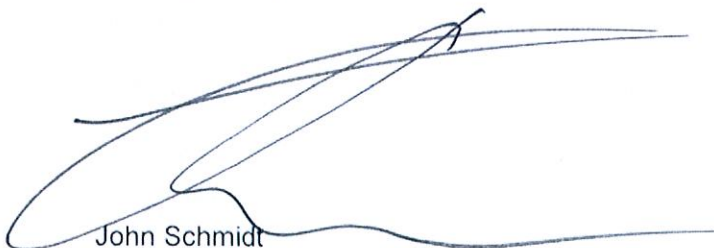
Dear Mr Searle

I acknowledge receipt of your letter addressed to the Chairperson of the Commission, the Hon Keith Mason AC QC, dated 10 May 2018 in which you allege possible breaches of the *Lobbying of Government Officials Act 2011* by Mr Michael Photios.

The matters you have raised will be considered by the NSW Electoral Commission in accordance with its Compliance and Enforcement Policy and Procedures. Should further information be required, a member of our Funding, Disclosure and Compliance division will make contact with you.

Thank you for raising this matter with the Commission.

Yours sincerely



John Schmidt
NSW Electoral Commissioner

on behalf of Hon Keith Mason AC QC

Adam Searle

From: Lucinda Cheshire <Lucinda.Cheshire@elections.nsw.gov.au>
Sent: Thursday, 16 August 2018 2:29 PM
To: Adam Searle
Subject: RE: Copy of correspondence sent

Dear Hon Searle

The investigation into this matter is ongoing. The NSW Electoral Commission does not comment on ongoing compliance matters.

Kind regards

**Lucinda Cheshire | Executive Assistant to The Commissioner
NSW Electoral Commission**

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E: Lucinda.Cheshire@elections.nsw.gov.au **W:** www.elections.nsw.gov.au

From: Adam Searle [mailto:Adam.Searle@parliament.nsw.gov.au]
Sent: Wednesday, 15 August 2018 4:09 PM
To: Lucinda Cheshire <Lucinda.Cheshire@elections.nsw.gov.au>
Subject: RE: Copy of correspondence sent

Thank you for this.

Can you advise where this matter is now up to, given the passage of time since the correspondence?

From: Lucinda Cheshire <Lucinda.Cheshire@elections.nsw.gov.au>
Sent: Wednesday, 15 August 2018 2:49 PM
To: Adam Searle <Adam.Searle@parliament.nsw.gov.au>
Subject: Copy of correspondence sent

Dear Hon Searle

Please find attached a scanned/signed copy of correspondence sent to you as requested from your office.

Kind regards
Lucinda

**Lucinda Cheshire | Executive Assistant to The Commissioner
NSW Electoral Commission**

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