

Submission

No 6

**INQUIRY INTO THE 2009 MT PENNY RETURN TO
ORDER**

Name: Mr Mark Paterson AO
Position: Director General, NSW Trade and Investment
Date Received: 27/05/2013



Trade & Investment

Office of the Director General

DGTO13/197

The Hon Trevor Khan MLC
Chair
Privileges Committee
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Mr Khan

Inquiry into the 2009 Mt Penny return to order

I refer to your letter dated 8 May 2013 regarding the above inquiry ("the Inquiry"), and confirm that I intend to make a submission.

As discussed with you on 13 May 2013, NSW Trade & Investment ("the Department") intends to have its response to the 2009 Mt Penny order for papers ("the Review") independently reviewed by an external law firm for the purpose of assisting the Committee. The proposed terms of reference are to:

- a) *Document the policies and procedures that applied to the Order;*
- b) *Investigate and document the actions taken by the Department in response to the Order;*
- c) *In relation to the documents that were not produced, examine and report on where and how these were held.*

The outcomes of the independent review will be used to ensure that a comprehensive document search is undertaken.

We recognise the importance of ensuring the Review does not in any way impede your Inquiry and accordingly I confirm the Review and subsequent document search will not commence until after I have appeared before the Inquiry, and have received any comments from the Committee regarding the conduct of the Review.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

Mark I Paterson AO
Director General

27.5.13

NSW Trade & Investment
Level 49 MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia,
GPO Box 5477 Sydney NSW 2001 Australia

Tel: +612 9338 6600 Fax: +612 9338 6860 www.trade.nsw.gov.au ABN: 72 189 919 072