

**Submission**

**No 4**

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

**Name:** The Hon Peter Primrose MLC  
**Position:** Former Minister for Mineral Resources  
**Date Received:** 24/05/2013

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PETER PRIMROSE MLC  
LEGISLATIVE COUNCIL

Hon. Trevor Khan MLC  
Chair  
Privileges Committee  
Legislative Council  
Parliament House  
SYDNEY 2000

24<sup>th</sup> May 2013

Dear Mr Khan

Thank you for your letter of 8<sup>th</sup> May 2013 inviting me in my capacity as a former Minister for Mineral Resources, to make a submission to the Inquiry into the 2009 Mount Penny return to order. Accordingly, I will only seek to respond in that capacity and no other.

In preparing this response, I have consulted with my former acting Chief of Staff.

As noted in the Committee's Report Number 68 dated 30 April 2013, I was appointed Minister for Mineral Resources on 17<sup>th</sup> November 2009, replacing Mr Macdonald. I ceased holding that portfolio eighteen days later on 4<sup>th</sup> December 2009, at which time Mr Macdonald was reappointed.<sup>1</sup>

The response dated 23<sup>rd</sup> November 2009 from my acting Chief Of Staff, to the advice dated 13th November 2009 from the Department of Premier and Cabinet regarding the Order of the Legislative Council, states that: 'I attach the one document covered by the terms of the resolution in this office.'<sup>2</sup>

<sup>1</sup> Report 68 – April 2013, p. 2.

<sup>2</sup> Op. cit. p. 36. See page 41 of the Committee Report.

That is, having been the Minister for six days, there was only one relevant document over which my Office had 'possession, custody or control.'<sup>3</sup>

I note the advice provided by the current Director General of the Department of Premier and Cabinet dated 18<sup>th</sup> January 2013 that: '...the process that applies now when the Government responds to orders under Standing Order 52 ... is substantially the same as that which applied in 2009.'<sup>4</sup>

I share the views expressed by the President that the privileges and powers of the House are matters of vital importance, and thank the Committee for the opportunity to make this submission.<sup>5</sup>

Yours Sincerely

A handwritten signature in black ink that reads "Peter Primrose". The signature is written in a cursive, flowing style.

Peter Primrose

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<sup>3</sup> Standing Order 52

<sup>4</sup> Report 68 – April 2013, p. 62.

<sup>5</sup> Op. cit. p. 4.