

Oaths Act 1867

STATUTORY DECLARATION

QUEENSLAND

TO WIT

I, Michael Anthony Kelly, of 111 George Street Brisbane in the State of Queensland, do solemnly and sincerely declare that:

1. I refer to my statement of 27 September 2013 at paragraph 76 and say that since providing that statement I have reviewed further documentation provided to me by crown law relevant to this issue. I am now able to say that it appears that on 23 October 2008, a copy of the ASIC letter was sent to me as an attachment to an email from David Ford at 3.34pm.
2. The documentation indicates that I then received an email from Lachlan Smith at 3.52pm on 23 October 2008 in which I was invited to discuss this issue. My recollection is that I did discuss the matter with Lachlan Smith and then, as requested by David Ford drafted a form of words for a proposed statement to reflect my understanding of the discussions with Lachlan Smith and earlier discussions I had had with David Ford and Lachlan Smith following the briefing from ASIC on 17 October 2008.
3. It seems that I then sent the draft ministerial statement to David Ford at 5.25pm on 23 October 2008 noting *"I have attached a rough one that the Min's office will no doubt want to amend after you have made any changes you think appropriate."*
4. At 10.21 am on 28 October 2008 Lachlan Smith sent an email to myself, Carol Perrett and David Ford informing us that the Treasurer had made a statement in Parliament and tabled the ASIC letter. The details of the ministerial were given.
5. I replied at 10.25am and Lachlan Smith replied at 11.01am informing me that he had spoken Mr Bentley and requested someone from the office of racing should also call Mr Bentley.
6. My recollection is that I spoke to Mr Bentley shortly afterwards and informed him that if he wanted to pursue changes to the QRL constitution, he would have to commence the whole process again. However, I informed Mr Bentley that I thought it would be highly unlikely that the Minister would consider any request to remove independent recruitment consultants for the appointment of directors.

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Signed:  .....

Deponent

Taken by:  .....

Solicitor

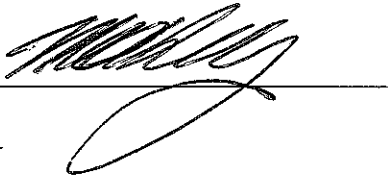
7. At 11.28am on 28 October 2008, I informed Lachlan Smith that I had spoken to Mr Bentley.
8. The documentation referred to above is attached as MK 40A.

AND I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867.

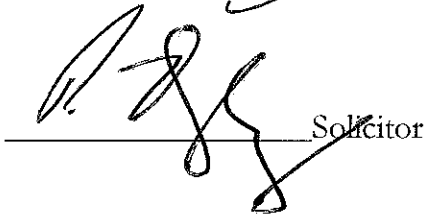
DECLARED AND SIGNED at Brisbane

this twenty-ninth day of September, 2013

Witness



Before me:-



Solicitor