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SPECIAL REPORT OF

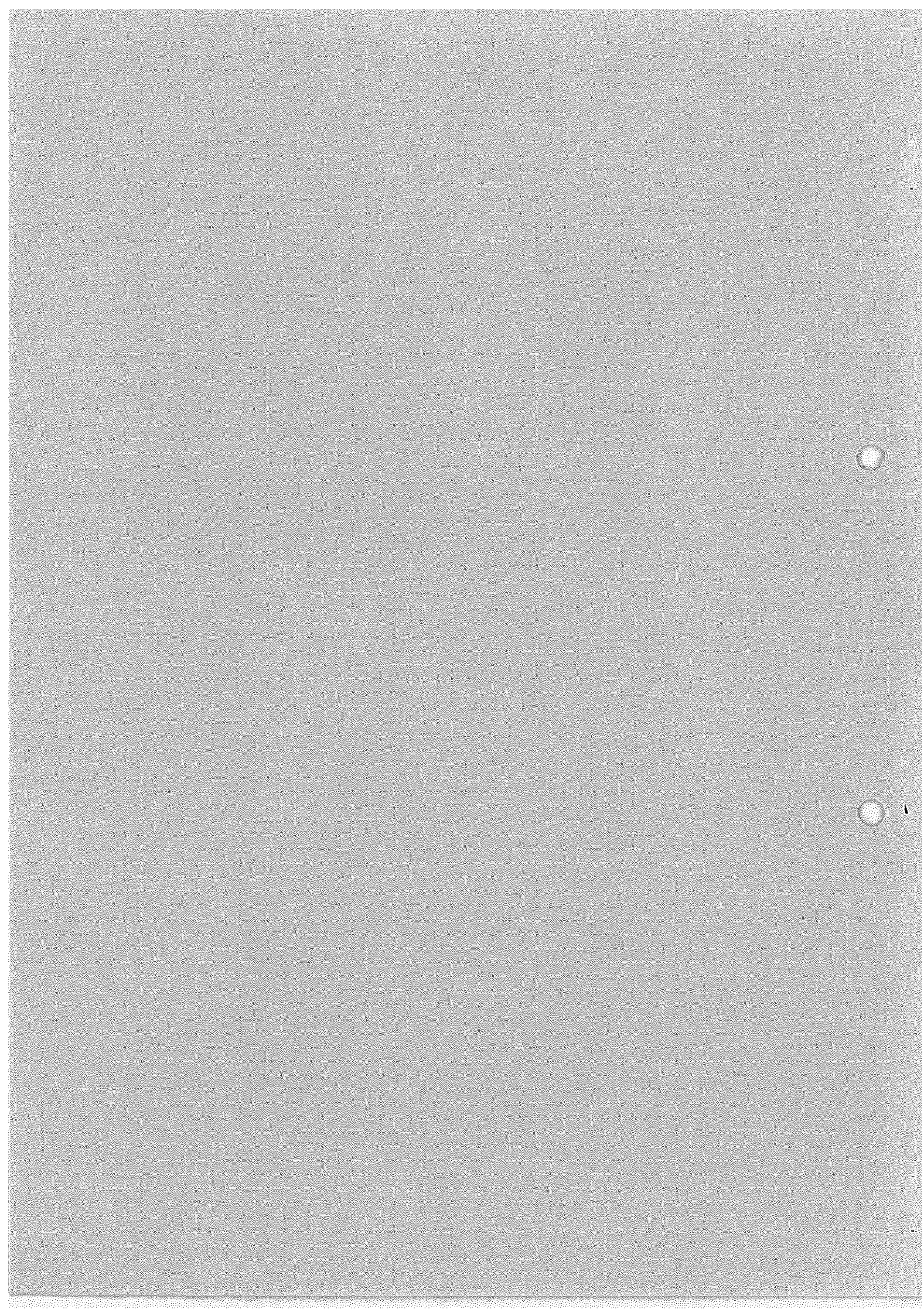
A SELECT COMMITTEE

UPON THE DISPOSAL OF

THE MIDLAND SALEYARDS

Presented by: Hon Neil Oliver

October 1986

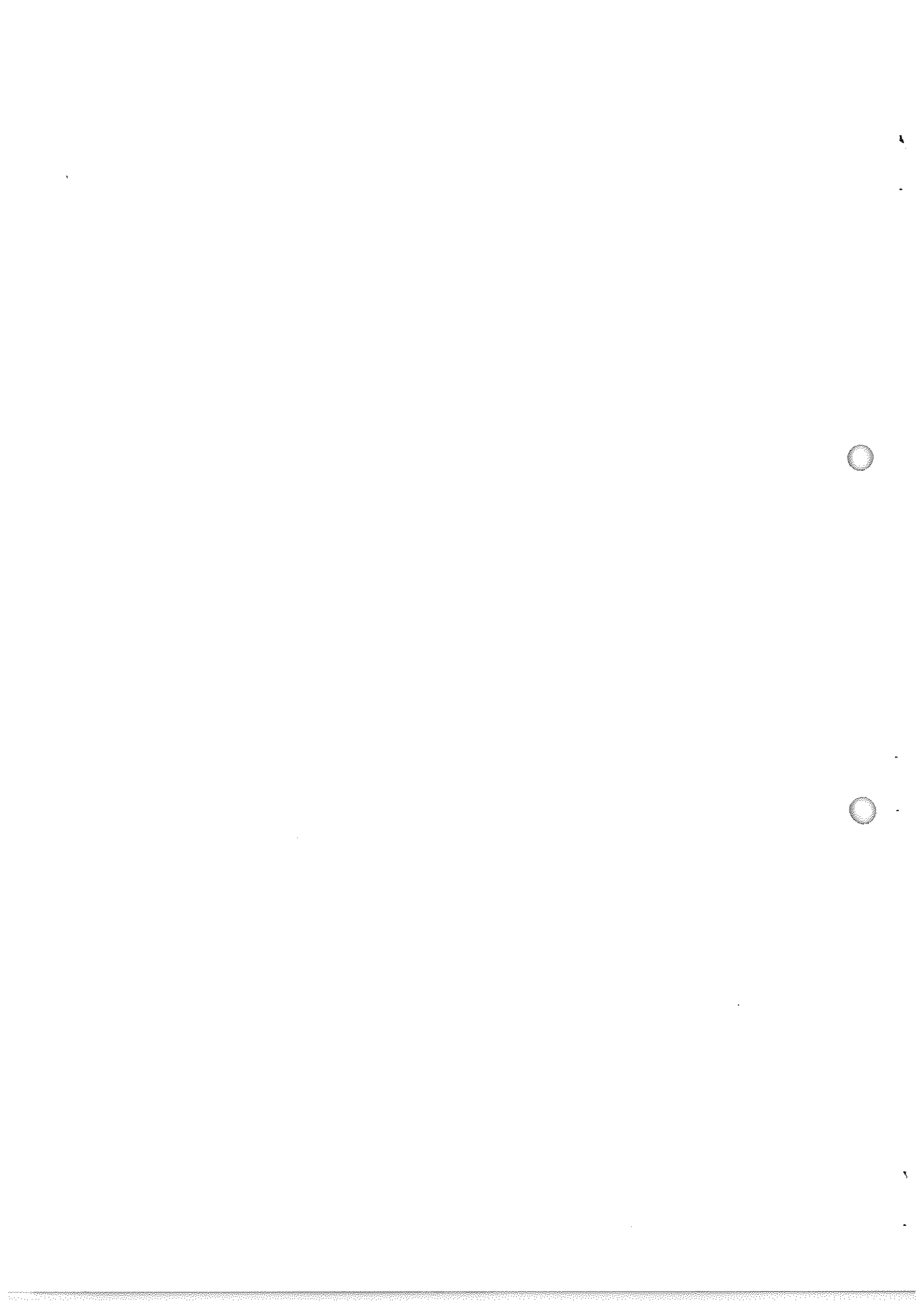


**SPECIAL REPORT OF A SELECT COMMITTEE UPON THE DISPOSAL OF THE
MIDLAND SALEYARDS**

In the course of its examination of Mr Ellett, a question was put to him seeking disclosure of the name(s) of his financier for the purposes of buying the site.

The relevant part of the transcript of evidence (attached) shows that the witness persisted in his refusal to answer that question in the face of an assurance that the information would not be disclosed.

Under the circumstances, your Committee has no option but to report the matter to the House. The Committee's opinion is that the question, for the purposes of s.8 of the Parliamentary Privileges Act 1891 was, both "lawful" and "relevant".



MIDLAND SALEYARDS SELECT COMMITTEE

TRANSCRIPT OF IN CAMERA EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 27 AUGUST 1986

Present

Hon. Neil Oliver (Chairman)

Hon. N.J. Caldwell

THE CHAIRMAN: Did the Government, in arriving at the decision to sell to you, ask you to provide it with evidence that you had financial backing to finalise the purchase of the sale?

MR ELLETT: Yes.

THE CHAIRMAN: It did?

MR ELLETT: Yes.

THE CHAIRMAN: Did it also ask for financial information regarding the expansion -- your development plan?

MR ELLETT: No.

THE CHAIRMAN: So the Government asked for approval for financial documents in respect to the purchase? That is, that you had paid your deposit, and your ability to purchase the property. Incidentally, was that credit facility revocable or was it an open letter of credit?

MR ELLETT: That is either personally or commercially sensitive.

THE CHAIRMAN: We have been through this commercial situation before. I am asking whether it was qualified.

MR ELLETT: I am not prepared to give you any details at all of the financial arrangements I have with my merchant bank. They are confidential and I will not give them to anyone.

THE CHAIRMAN: You are required to answer questions which are put to you, but if they are of a commercial nature I would prefer they be taken in camera.

MR ELLETT: It will not make any difference because I will not reveal who the financiers are.

THE CHAIRMAN: You are saying that should I put the question to you in camera, where it will be neither available to the public nor be printed as a substance to this report, you will not be prepared to answer it?

MR ELLETT: No. It is commercial.

THE CHAIRMAN: Irrespective of that, I will have to ask that we proceed in camera for the purposes of putting that question only. I hope then that this procedure will be finished. I request the Press and the public to leave.

IN CAMERA

THE CHAIRMAN: This discussion is now in camera. I have already put that question to you, and the fact that you are required to answer it. It is not really necessary for me to put the question to you again. If you believe it is a commercial transaction, I must advise you that you are required to answer any question which is put to you. I am quite happy for you to discuss this matter with Mr Momber, but that discussion will not be recorded by Hansard.

MR ELLETT: I want to see the authority.

THE CHAIRMAN: The authority is section 8 of the Parliamentary Privileges Act.

MR ELLETT: I don't believe the question is relevant. It says, "Lawful and relevant" question, and I don't believe the question is relevant.

THE CHAIRMAN: I will put the question to you again: From what source was the finance available?

MR ELLETT: Because the question is not relevant, I do not believe I have to answer it.

THE CHAIRMAN: I have to advise you that in accordance with your answer I will be required, as Chairman, to report the fact that you did not answer this question to the House. Do you understand that?

MR ELLETT: Yes.

IN CAMERA

