



7 Murray Rose Avenue
Sydney Olympic Park, NSW 2127
PO Box 7510
Silverwater, NSW 2128
Australia
Tel: +61 (0)2 8037 6000
Fax: +61 (0)2 8037 6466
www.thalesgroup.com.au

6 December 2018

Jason Sherd
Committee Secretary
Joint Committee of Public Accounts and Audit
PO Box 6021
Parliament House
Canberra ACT 2600

Joint Committee of Public Accounts and Audit inquiry into the publication of Auditor-General's report No. 6 (2018-19) *Army's Protected Mobility Vehicle – Light (the Inquiry)*

We refer to your letter dated 29 November 2018.

Thales Australia Limited (**Thales**) has explained in its letter to the Committee dated 12 November 2018 that it denies any allegation that it (or its lawyers) may be in contempt of Parliament for a contravention of section 16 of the *Parliamentary Privileges Act 1987* (Cth). In particular, we refer the Committee to paragraphs 1.7 – 1.10 of Thales' letter dated 12 November 2018.

Please see below Thales's responses to each question set out in your letter dated 29 November 2018.

1. **Can Thales advise the committee if any material from the draft report provided to them by the Auditor was tendered to the court.**

No material from the draft report provided to Thales by the Auditor was tendered to the court. The affidavit identified the factual basis for the challenge to the decision to publish the draft report, but did not disclose the content of the draft report.

2. **Was the draft report material contained in the affidavit of Mr Gary Mark Hines and/or exhibit GMH-1 sworn 29 January 2018?**

No. The version of Mr Hines' affidavit did not quote from or reproduce any part of the draft report. Exhibit GMH-1 was not tendered or provided to the Court.

3. **Was the affidavit or exhibit read into court?**

Mr Hines' affidavit was read, but the exhibit was not tendered. Thales notes that this version of Mr Hines' affidavit did not quote from or reproduce any part of the draft report.

4. **Was the draft report material read into court verbally or in written form (e.g. by way of submission)?**

No.

Further, I am advised that extracts of the draft report were annexed to the affidavit of the Auditor-General, Mr Grant Hehir affirmed on 16 March 2018 and filed in the Federal Court of Australia on 19 March 2018.

Yours sincerely

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CHRIS JENKINS
Chief Executive
Thales Australia

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