INDEPENDENT COMMISSION AGAINST CORRUPTION

STATEMENT IN THE MATTER OF:

Operation Jarah - File No. E13/0494

PLACE:

Hume, Australian Capital Territory

NAME:

Andrew De Jong

ADDRESS:

De Jong Motor Engineers and Repairers

38 Raws Crescent

HUME ACT 2620

OCCUPATION:

Business owner

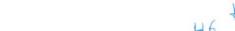
TELEPHONE NO: Known to ICAC

DATE:

8 December 2014

States: -

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a witness. The statement is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.



- 2. My full name is Andrew De Jong and I am ** years of age.
- 3. I am the owner of De Jong Motor Engineers and Repairers (hereafter referred to as 'De Jong Motors') located at 38 Raws Crescent, Hume, ACT 2620. I have operated this business since approximately April 2000 and the business conducts motor repairs, servicing and remodelling. My business specialises in Saab motor

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vehicles and my role within the business is that of management, administration,

mechanical works, invoicing and accounts receivable.

4. I can state that sometime in the early 2000's possibly around 2000 or 2002, I met

the person whom I now know to be Phil Cresnar (hereafter referred to as 'Mr

Cresnar') who had attended De Jong Motors to have his vehicle, a 2000 Saab 9-5

sedan, serviced. I conducted the service upon Mr Cresnar's Saab and then I did

not see him for a number of years as I understood that he moved to Sydney.

5. Sometime in approximately 2008, Mr Cresnar contacted me by telephone at De

Jong Motors and made enquiries about having his Saab 9-5 sedan fully rebuilt and

modified. I informed Mr Cresnar that I was prepared to conduct the work he

required on his vehicle, however due to my work commitments I would only be

able to work on his vehicle periodically as a 'fill in job'. Mr Cresnar advised me

that he was not in a hurry to have his vehicle rebuilt. The modifications included

a high performance engine, a special gearbox that was built for it, all the

suspension, the brakes, it was pretty much everything. The car was strengthened

and had a color change inside and out. The car was basically gutted and rebuilt. I

can recall that I told Mr Cresnar to come down to Canberra so he could tell me

exactly what he wanted and then I could sit down and work out a quote for him. I

can recall that he did come down with a list of things and told me that he had also

sourced some parts from overseas. I subsequently provided Mr Cresnar with a

verbal quote, over the telephone, for rebuilding his vehicle at approximately

\$25,000.00.

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Witness

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6. As a result of this request sometime in about October 2008, Mr Cresnar attended

De Jong Motors with his 2000 Saab 9-5 sedan, NSW registration PUR4RM and a

trailer with various items onboard including an engine and car parts. Mr Cresnar

left his vehicle and the various parts and engine in my possession and I

commenced work on the vehicle.

7. From about October 2008 until early 2012, Mr Cresnar's Saab 9-5 sedan NSW

registration PUR4RM was garaged at De Jong Motors where during this time I

fully rebuilt the vehicle. The full rebuild included a total strip down of the interior

of the vehicle, the engine and the electrics. I then modified most parts of the

vehicle and installed a new engine and suspension as well as a full body kit to the

vehicle.

8. I can recall that around February 2009 I put together an invoice like I normally do,

for what we had agreed on, parts, labour and the amount. I then sent it to him via

email. I can recall that this invoice didn't describe everything that I had done to

the vehicle but it did contain an overall type of description of the work carried out

and it identified the vehicle that I was carrying out the works on as the Saab. I can

also recall that the invoice was made out to Phil Cresnar.

9. I can recall that a short time after I had forwarded the invoice to Mr Cresnar that I

received a phone call from him. I can recall that during this phone call he asked

that I reissue the invoice and not address it to him and to also change the

description of the works that I was undertaking. Mr Cresnar asked that I make a

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new invoice in the name of Bastow Civil for the works carried out on his Saab. I

had never heard of Bastow Civil prior to this time. To the best of my recollection

I asked Mr Cresnar why it was that the invoice needed to be made out to Bastow

Civil and he told me that it was Bastow Civil that was paying for the works.

10. As a result of the conversation with Mr Cresnar about the description of works

described on the invoice I can recall that he asked me to describe the works as

repairs to heavy machinery, like a diff and axles. I did this and I do not know

what happened to the original invoice but I have not been able to locate a copy of

it in my records.

11. From records held by De Jong Motors I can state that the Tax Invoice number

5026 dated 3 February 2009 from De Jong was Billed to: Bastow Civil

Constructions, 49 South Creek Road, Shanes Park NSW 2747. The Description

as outlined on the Tax Invoice is for "Labour – Replace Diff + Axles + find faults

(47 hours labour) and Parts and Materials..." The total Balance Due on this

invoice including GST was \$25,036.00. This is the second invoice that I issued.

The description of works carried out that are included on this invoice are not an

accurate description of the actual work that I did.

EXHIBIT:

I NOW PRODUCE A COPY OF A DE JONG TAX

INVOICE NUMBER 5026 DATED 3/02/2009 BILLED TO

BASTOW CIVIL CONSTRUCTIONS OF 49 SOUTH

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CREEK ROAD, SHANES PARK NSW 2747 TO THE

VALUE OF \$25,036.00.

12. When Mr Cresnar asked me to provide a Tax Invoice and provided me with the

name of a company whom I was to address the Invoice to, I thought that was a

strange request. Mr Cresnar had asked me to not make any mention on the Tax

Invoice that it related to his Saab motor vehicle, but to direct the repairs, parts and

materials to having been made on a commercial truck. I was not comfortable with

Mr Cresnar's request however as I had already had his vehicle for several months,

and had significantly commenced work on the vehicle, I felt committed to the job.

I then prepared the Tax Invoice number 5026 made out to Bastow Civil

Constructions and provided it to Mr Cresnar by email to the best of my

recollection.

13. I can recall that a short time after I provided the Tax Invoice to Mr Cresnar I

received a cheque for \$25,036.00 from a company called Bastow Civil

Constructions. To the best of my recollection Mr Cresnar provided me with the

said cheque

14. From records held by De Jong Motors, I can state that on 15 April 2009, I

attended the Commonwealth Bank of Australia and deposited the Bastow Civil

Constructions ANZ cheque for \$25,036.00 into my bank account.

EXHIBIT:

I NOW PROUDCE A TWO PAGE COPY OF MY

COMMONWEALTH BANK OF AUSTRALIA DEPOSIT

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STATEMENT IN THE MATTER OF: Operation Jarah - File No. E13/0494

NAME: Andrew DE JONG

BOOK FOR MY ACCOUNT IN THE NAME OF

ANDREW DE JONG DATED 15 APRIL 2009 SHOWING

A DEPOSITED CHEQUE FROM BASTOW CIVIL

CONSTRUCTIONS TO THE AMOUNT OF \$25,036.00.

15. From this period until sometime in early 2012, I continued working on the

stripping and rebuilding of Mr Cresnar's Saab 9-5. As part of the initial quote of

\$25,000.00 I provided to Mr Cresnar I had included having the stripped vehicle

repainted. However due to my work commitments, I did not have the time to

conduct this work so I informed Mr Cresnar, whom made arrangements to have

the Saab vehicle taken to another location to have it painted.

16. In early 2012, I arranged for a tow truck which Mr Cresnar's Saab was loaded

onboard and transported for painting. I believe the vehicle was taken to Sydney. I

organised the tow truck for transporting the Saab to be repainted and I paid the

cost of the tow truck from monies that Mr Cresnar had provided me. Mr Cresnar

also informed me that he had paid for the Saab to be repainted therefore I arranged

to have the cost of painting returned to Cresnar. I can recall that I made a direct

deposit into Mr Cresnar's bank account of \$6,000.00. This was done at the

Commonwealth Bank Branch at Fyshwick.

17. Approximately five weeks later, Mr Cresnar's Saab 9-5 was returned on a tow

truck to De Jong Motors where I continued to rebuild the vehicle.

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- 18. I can state that almost all of the parts that I fitted to Mr Cresnar's Saab 9-5 vehicle were purchased and supplied by Mr Cresnar. A number of items were delivered from the supplier to De Jong Motors, however most of the items were brought into the workshop by Mr Cresnar himself.
- 19. In late 2013, I telephoned Mr Cresnar and advised him that his Saab 9-5 had been completely rebuilt and was ready for his collection. A short time later Mr Cresnar attended De Jong Motors and took possession of his rebuilt Saab 9-5 sedan.
- 20. The only person I dealt with in relation to the work conducted on vehicle PUR4RM was Mr Cresnar.
- 21. I can state that I do not know a person by the surname of Bastow. Further, prior to receiving this cheque, I had not heard of a company called Bastow Civil Constructions. I do not know any person associated with Bastow Civil Constructions.

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Tax Invoice #:00005026

Date: 3/02/2009

Page: 1

De Jong

38 Raws Cres Hume ACT 2620 Ph (02) 6260 1606 Fax: (02) 6260 1606 A.B.N. 40 703 464 544

Bill To:

Bastow Civil Constructions 49 South Creek Road Shanes Park NSW 2747

Description	Amount	GST 10%
Labour Replace Diff + Axles + find faults (47 hours labour) Parts and Materials 1 x Diff 48000 LB 2 x Axles Repairs to Diff Housing	\$3,760.00 \$9,000.00 \$6,500.00 \$3,500.00	GST GST GST GST GST GST

Early Account Details BSB: 062 909 Account No: Account Name: Andrew De Jong

GST: RATE **GST** SALE Total Inc GST: Amount Applied:

\$25,036.00 \$0.00

\$2,276.00

Balance Due:

\$25,036.00

CODE **GST**

10%

\$2,276.00

\$22,760.00

Commonwealth Bank Commonwealth Bank of Australia ABN 48 123 123 124

Agent Number (if applicable) \$10 Account Identification Number Merchant Sum Env \$5 Cheques Account Name all dimilicate ductionic shipticate shiplicate dimilicate this

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