

Ref: E 18 / 0093 / AS-02-040

ICAC

INDEPENDENT COMMISSION
AGAINST CORRUPTION
NEW SOUTH WALES

Independent Commission Against Corruption Act 1988 (Section 22)

NOTICE TO ATTEND AND PRODUCE DOCUMENTS

Steve Tong
[REDACTED]

You are required to attend and produce:

- to Phil Vickery, Investigator of the Independent Commission Against Corruption ("ICAC");
- at [REDACTED]
- forthwith, or at such later time as agreed to by Investigator Phil Vickery

the document(s) and/or other thing(s) described in the Schedule to this Notice.

You are required to produce the document(s) and/or other thing(s) for the purposes of an investigation the ICAC is conducting.

This requirement may be satisfied by some other person(s) acting on your behalf.

FAILURE TO COMPLY

It is an offence under s.83 of the ICAC Act without reasonable excuse to refuse or fail to comply with this Notice.

DISCLOSING INFORMATION ABOUT THIS NOTICE

YOU MUST NOT DISCLOSE INFORMATION ABOUT THIS NOTICE INCLUDING THE EXISTENCE OF THE NOTICE WHICH IS LIKELY TO PREJUDICE THE INVESTIGATION TO WHICH IT RELATES.

You may disclose information about this Notice:

- to an employee, agent or other person in order to obtain information to comply with the Notice **if you have directed** the employee, agent or other person not to inform the person to whom the information relates about the matter;
- to obtain legal advice or representation in relation to the Notice; or
- for the purpose of, or in the course of, legal proceedings.

It is an offence under s.114 of the ICAC Act to disclose information about this Notice that is likely to prejudice the investigation to which it relates.


Please note:

- (a) To ensure the ICAC is able to correctly reference the document(s) and/or thing(s) you provide in response to this Notice, please **complete and include the attached Property Delivery Advice form** with the document(s) and/or thing(s) required to be produced by this notice. If you wish to change your property disposal/return instructions, address and contact information provided on the Property Delivery Advice form, you will need to advise the ICAC by contacting Property Services on (02) 8281 5999 or via email at property@icac.nsw.gov.au
- (b) If the document(s) and/or other thing(s) required to be produced by this notice tends to incriminate you, **and you object to production at the time**, neither the fact of the requirement nor the document(s) and/or other thing(s) itself (if produced) may be used in any proceedings against you (except proceedings for an offence against the *Independent Commission Against Corruption Act 1988* and certain disciplinary proceedings as provided for by section 114A). The document(s) and/or other thing(s) can be used for the purposes of the investigation to which it relates.
- (c) The ICAC shall set aside the requirement if it appears to the ICAC that any person subject to the requirement has a ground of privilege whereby, in proceedings in a court of law, the person might resist a like requirement and it does not appear to the ICAC that the person consents to compliance with the requirement.
- (d) The person must however comply with the requirement despite:
 - (i) any rule which in proceedings in a court of law might justify an objection to compliance with a like requirement on grounds of public interest, or
 - (ii) any privilege of a public authority or public official in that capacity which the authority or official could have claimed in a court of law, or

(iii) any duty of secrecy or other restriction on disclosure applying to a public authority or public official.

If you have any questions about this notice please telephone Phil Vickery on (02) 8281 5999.

Date: 8 February 2019



The Hon. Peter Hall QC
Chief Commissioner


SCHEDULE

The following items in the possession, custody or control of Steve Tong:

1. All computers, including laptops and tablets

Date: 8th February 2019


The Hon. Peter Hall QC
Chief Commissioner

OFFICE USE ONLY	
This page and the preceding <u>3</u> pages is a true copy of the notice that was served:	
by: <u>Philip VICKERY</u>	
at: <u>12/2/19 8:40</u> am/pm	
on: <u>Steve Tong</u>	
at/by: <u>Personally at</u>  (place/method of service)	
The following documents were also provided at the time of service/execution:	
<input checked="" type="checkbox"/> Property Delivery Advice form	
<input type="checkbox"/> other (specify)	
<u>Philip Vickery</u> (signature of server)	<u>12/2/19</u> (date of service)

This is page 1 of the schedule to the Notice to Produce Documents addressed to Steve Tong.

Dear Alex,

As you know you or your father in a political donation dinner party On 12/3/2015 to use my name to donated \$5,000 to Labour. On 25/8/2016 I received Electoral Commission NSW letter, they want me to lodge Declaration for ensuring compliance and enforcement of the provisions of the Election Funding, Expenditure and Disclosures Act 1981. But on 28/4/2017 I received other Electoral letter again as same as the requirement as 25/8/2016 (I forward to you).

On this matter I am terrible involve this problem, why you use my name to do such thing without notice and obtain my agreement, I don't know still have how long can they will let me alone, you and Mr Wong must thinking to solve this problem otherwise I will tell all the truth and I wish to declare as follows:

1. I don't know such donation.
2. I don't know you or company use my name for this donation.
3. I don't agree you use my name to do this donation.
4. I haven't pay any money for this donation.
5. My present finance situation I don't have ability to do donation.
6. You or any people who attend 12/3/2015 dinner party haven't tell me already use my name to do donation.
7. Until I received Labour Tax Invoice on 9/4/2015, than I ask you and Mr Laio to know you use my name to do donation, and you said this is no any problems, in Australia any people can donation to any you like political Party, this is legal, if have any problem our company will be fix it, no worry.
8. To reply Electoral Commission Letter dated 14/9/2016, Mr Laio with me go to Company Accountant Office, I just provide my income certificates, bank turnover as recarried in 6/2/2015 to 26/3/2015. Company Accountant issued the letter reply to Electoral Commission, and haven't provide me a copy of this letter, therefore I don't know of what is the letter how to issu.

The above all items are truth, due to present my healthy are very bad, I don't want be trouble and harass all time, I wish you and Mr Wong to fix it asap, many thanks

Yours faithfully

Steve Tong