

Independent Commission Against Corruption Act 1988 (Section 35)

NSW ICAC EXHIBIT

**SUMMONS TO APPEAR AND GIVE EVIDENCE**

*by email as agreed*

TO: Mr Ivan Petch

Section 35 Summons Served On	<i>Nan Petch</i>		
Title			
To	<i>nanpa@ryde.nsw.gov.au</i>		
Date/Time	<i>8.2.13</i>	<i>12:25</i>	
Signature	<i>[Signature]</i>		
Position	<i>Investigator</i>		
Info for Witness Service	<i>Y/N</i>	<i>Yes</i>	

You are required to appear before the Independent Commission Against Corruption ("the ICAC") to give evidence at a compulsory examination to be conducted:

- at 9.30 am on Friday, 15 February 2013
- at level 21/133 Castlereagh Street, Sydney, New South Wales 2000)

and until such time as you are excused from further attending.

The compulsory examination is being conducted for the purposes of an investigation of an allegation or complaint of the following nature:

- *The circumstances relating to and also following the investigation and reporting of pornographic material discovered on a City of Ryde Council laptop issued to Council General Manager John Neish by officers of the Council.*

**FAILURE TO APPEAR**

It is an offence under s.86 of the ICAC Act without reasonable excuse to fail to attend before the ICAC in accordance with this Summons.

In addition, if you fail to so attend the Commissioner of the ICAC may issue a warrant for your arrest (s.36 ICAC Act).

*E13/0189/4/1*

**DISCLOSING INFORMATION ABOUT THIS SUMMONS**

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

You may disclose information about this Summons:

- . to an employee, agent or other person in order to obtain information to comply with the Summons **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 Summons; 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 Summons that is likely to prejudice the investigation to which it relates.

**Please note** that you are entitled to seek the leave of the ICAC to be represented by a legal practitioner at the compulsory examination or a specified part of the compulsory examination.

If you have any questions about this Summons please telephone Mr David Wong on (02) 8281 5999.

Date: *8th* February 2013



Theresa Hamilton  
Assistant Commissioner