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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION PARAGON

Reference: Operation E18/0736

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 2 JUNE, 2021

AT 2.00PM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Yes.

MR DOWNING: Thank you, Commissioner. Commissioner, just before the, or just after lunch break, Mr Hadid indicated that he does occasionally have some back pain and he may need to stand from time to time.

10 THE COMMISSIONER: Yes.

MR DOWNING: I ask if he'd just indicate if he needs to, and just remind him of the need to still stay close to the microphone.

THE COMMISSIONER: Mr Hadid, you may sit or stand as you please.
---Thanks, Commissioner.

MR DOWNING: Now, Mr Hadid, just before the luncheon break I was taking you to a tender evaluation report in respect of that Kankool stage, or
20 sorry, Kankool entry lane job.---Entry lane, yes.

And you confirmed that there had been no meeting of the type that is reflected in that report.---To the entry lane, no.

Well, you say you've never gone to a meeting, that is attended Mr Dubois' offices to meet - - -?---No, I don't, I don't, I don't recall any meetings with anyone. Oh, sorry.

This is to meet – just to let you know what sort of meeting I'm asking about,
30 a meeting at the Parramatta offices in Argyle Street with other contractors to discuss a proposed job.---God no.

THE COMMISSIONER: So just to be clear, when you say you don't recall any, are you saying that you did not - - -?---I did not, Commissioner.

Yes, yes.---Yes.

It's not a question of just faulty memory, but you are confident you didn't attend such meetings? Is that the position?---The ones that Mr Downing
40 just mentioned right now?

Yes.---No, I haven't.

Right. Thank you.---Definitely haven't, no.

MR DOWNING: And just to go back to it, so volume 2.1, page 574. Just to remind you, it suggests that on 1 April, 2011, so the same date as the other meeting that's described in the report I took to you in respect of the

Mount White works, it suggests that there was a meeting 10.30 that day at Argyle Street, Parramatta, with Mr Dubois, Harry Alam, Shane Chahine and you, with you being present on behalf of CBF, and you say that that simply just didn't occur.---Correct.

10 And if we go ahead, please, you'll see at page 576 that it indicates there that – you'll recall that on the first page it suggests that the RTA estimate for the job was \$270,000, the lowest amount, the lowest tender was 255 from Complete Building Fitout, highest was 268 from Peregrine, it's described as Peregrin Corp, and you'll see that down below under Conclusion it recommends that CBS get the job at 255,500.---Yes.

Just on that front though, you have I think agreed that at least at some point there were meetings to discuss work, albeit informal, where it wasn't just you and Mr Chahine and Mr Dubois present, but that Mr Alameddine started to be present as well?---That's way later down the track, yeah.

20 So you don't remember any meetings with Mr Alameddine present as far back as 2011?---No.

But were you aware at that point, even if you weren't involved in any meetings with him, that he had some company that was doing work?
---I know that he was doing work for him, yes. I just don't recall - - -

Right back in 2011?---Yeah. I don't recall the companies.

But I take it you learnt of that through Mr Dubois telling you?---Correct.

30 And you meeting Mr Alameddine from time to time?---I have seen him before, yes, meaning as in if he was with Mr Dubois or something like along those lines, yeah.

I'm not suggesting a formal meeting, but that he was present with him and you had been introduced to him and discussed what was going on with work, informally, going back some years.---I don't think I ever spoke, meetings like that, talking about work in the early stages or anything in that particular - - -

40 But in the early stages, and I'm really focussing on 2011, you'd at least seen him with Mr Dubois and understood he was doing work. Correct?---Yeah, guess so, yes.

But do you say you had no idea of what his company was or - - -?---No, I don't remember any company names or anything like that or - - -

Well, just sticking with the Kankool job for the moment, having seen that report, but can I take you just to the relevant quotes. If we could go, please, to same volume, page 580. And you'll see that on 1 November, 2011, Mr

Chahine – well, it seems that Mr Chahine is sending the email on behalf of Complete Building Fitout.---From - - -

For the Kankool job.---From Mr Chahine to Mr Chahine or – oh, okay, so - - -

Mr Chahine to Mr Dubois.---Okay. Sweet. Yeah.

10 And I think you've confirmed that it was typically Mr Chahine who operated the computer and sent communications?---Yeah, with me, with me, yeah, yeah (not transcribable)

You would always talk about the jobs before any communication went out? ---Yes, correct.

And if you go, please, to page 581, you'll see that the quote is for the Kankool job, that is stage 2, and it's the entry lane expansion.---Correct.

20 And you'll see that the sum that's reflected in that tender evaluation report I took you to, 255,500 plus GST. So all up 281,050.---Yes.

And looking at that description of the works and the quotes, does that, to you, look like something that you and Mr Chahine had created?---Yeah. Because it's - - -

You obviously know the type of language you used in preparing quote documents?---Yeah. I'm just looking at it right now, reading it. Yeah, that's, that looks like something that we would have typed, yeah.

30 And you've indicated that at times Alex would take them and perhaps expand on the wording to make them look more professional?---He would tell us to expand on the wordings and stuff like that.

But does that look like the sort of wording that you and Mr Chahine came up with?---It's, that's something that Mr, me and Mr Chahine would have wrote.

40 And can I ask you then to please have a look at page 583? And you'll see that this is now an email from peregrine_corp@ [REDACTED] to Mr Dubois.---Yes, yes.

Which, what according to the heading, is the Peregrine Corp quote for Kankool and it's said to be from you, director of Peregrine Corp Australia. Now, just start – let's take it step by step. First of all, you were not, at any stage, the director of Peregrine Corp?---No, no.

You had an understanding, didn't you, that it was a company controlled by Chahid's brother, Chahine?---Correct. It was his company, yes.

And was it doing civil works of some sort?---No. Not that I know of, no.

Do you know what Chahine Chahine did with it?---He done nothing. I think he just owned it.

You don't understand that it operated any business?---No.

10 Do you recall any discussions about that company with Mr Dubois that would have made him aware that the company even existed?---Oh, not that I can recall, no. Maybe, maybe it, maybe it did pop up or something like that but I can't recall at all.

Can you ever recall a discussion where Mr Dubois, and this is going right back to 2011, asked that you and/or Mr Chahine assist in coming up with companies that could provide dummy quotes from time to time?---I think he may have asked, maybe, maybe, maybe, maybe asked if we knew of a company or something like that and we may have mentioned, mentioned it but I don't, I don't - - -

20

That's Peregrine Corp?---Yeah, correct. That his brother, that his brother had one, sorry, and, you know.

Now, looking at the email address, do you have any idea who was operating the peregrine_corp@?---No.

If you go back, please, to the email from Mr Chahine on behalf of Complete Building Fitout, if you go back, please, to page 580. You'll see that that is from a hoodycbf@[REDACTED] address.---Okay.

30

Do you recall whether you and/or Mr Chahine had an [REDACTED] account for the purposes of your internet, that provided you with email addresses?---I can't recall, no.

Who would typically take care of that within your business with Mr Chahine, you or Mr Chahine?---Maybe, maybe it was – what do you mean, what's [REDACTED]? Is it like a server at home or something like that? I don't know - - -

40

Optus is one of the different providers that provide broadband, and if you subscribe with broadband to Optus, then you can have a number of email addresses using [REDACTED].---Oh, okay. Okay. I, I can't - - -

So I'm just wondering whether you can recall whether you and Mr Chahine had your business set up so that it had an account for its internet with Optus?---Like I said, I wasn't very tech savvy with any of this sort of stuff.

In any event, if we go back, please, to page 583. Is it the case that you can't assist us as to who had setup that email address, peregrine_corp@ [REDACTED]?---No. I definitely didn't.

Do you have any knowledge as to whether Mr Chahine might have been using that email address?---He possibly might have.

But you didn't send this email you say?---I did not send this email, no, and I'm not, no director of Peregrine.

10

Go then, please, to page 584 and you'll see that it's a quote from Peregrine Corp for the Kankool upgrade.---Yes.

And you'll see that there's a brief description there of the works. It's perhaps a little bit more basic than the description in the Complete Building Fitout quote that I just took you to.---Yes.

And ultimately it's 268,000 plus GST and it's said to be from you as the director of Peregrine Corp.---I, I definitely did not send this.

20

Looking even at the address do you know what that address that's at the top of the email, sorry, at the top of the invoice, sorry, I apologise, the quote is? ---No, mate.

No idea?---No.

So you say you just have no knowledge.---I have no knowledge of this at all.

30

You don't recall the discussion with Mr Chahine about whether in addition to putting in a quote for Complete Building Fitout that Mr Dubois required a separate dummy quote from another company?---I don't, I don't remember this at all.

But thinking back to this job now and having seen these documents, can you recall any discussions with Mr Dubois at the time about wanting a dummy quote submitted for the Kankool entry lane job?---I, I really can't, I really can't remember. It could, it could be, it could be very possible, yes, but I, I really can't remember.

40

You've indicated that you recall that it was something that happened as a pattern over time that occurred.---Yes, correct.

But is it the case you just can't recall when it began?---I can't recall when it began but I remember it really started in the, after 2015 sort of thing.

Well, we'll come to that, but you can't recall this far back as to whether it was occurring?---No.

Go then, please, to the same volume, page 585 and you'll see that this is now an email on 12 December, 2011 from hoodycbf@[REDACTED] to Mr Dubois – I'm sorry, from Mr Dubois to hoodycbf@[REDACTED] with the purchase order, the PO number.---Yes.

And you'll see there's a number there and also it confirms that the sum is the 255,500 that had been quoted.---Yes.

10 And if you could go then, please, to page 586 you'll see on 12 December, 2011 Mr Dubois is sending to the Contracts Finance Section of the RTA the CBF invoice for Kankool Stage 2.---Yes.

And you'll see it's attached there as an Excel document, the CBF invoice. ---Yes.

And if we go to the next page you'll see that it's in the sum of 255,500 plus GST. And if you go to page 588 the total is the 255,500 plus GST, so \$281,050 all up.---Yes.

20

And if I could take you back, please, bearing in mind that that was an invoice dated 6 December, 2011 but seemingly sent on or around 12 December. If I could take you back to the schedule of the Complete Building Fitout jobs at volume 2.1 at page 2. I'm sorry, page 3. Thank you. And do you see the first yellow entry on that page shows that on 23 December, 2011 that sum, the \$281,050 was made for the Kankool Stage 2 works?---Yes.

30

So having seen relevant documents in respect of the two first large jobs that Complete Building Fitout seemed to do, that is the Mount White – I'm just going to describe that as the exit lane works, and the Kankool entry lane works, and looking at the sums, those sums were a significant increase on the work that had been done before?---Yes.

And is your recollection that it was around that time that Mr Dubois started to ask for more substantial kickbacks?---Possibly, yes.

40

And do you recall that that was also the time when the practice of having meetings and him specifying figures for the quote that was to be submitted, started to happen frequently?---What, what date was that, what, what year?

That's 2011, with the two jobs that I took you to being the Mount White job in, I'll just confirm the months, Mount White job being the middle of 2011, so May/June, and then the Kankool job being at the end of 2011.---Around that time or maybe even a little bit later, but around, yeah, yeah.

But is your recollection that at that stage it was only you, Mr Chahine and Mr Dubois?---Correct.

And is it your recollection that it was only some years later that the first meetings were held where Mr Alameddine was present?---That's what I recall, yes.

10 And as far as anyone else that might have been present, do you say that you don't recall any such meeting describing the quote and the price to go in at that Mr Taha was present at?---No, we never, we never spoke to, amongst contractors at that time and all about what everyone would be, unless he conveyed it to them or something like that.

So that whatever discussions he might have had elsewhere, you weren't part of any discussions with other contractors - - -?---No, he may have a discussion with us and he - - -

- - - in the early years of your work for Complete Building Fitout.---Correct.

20 Now, do you recall though that in that early phase where it was just discussions with you and Mr Chahine and Mr Dubois though, that he did make you aware that someone was putting in dummy quotes?---I do recall something about him mentioning quotes or something along those lines or that he, he possibly needed some or along those lines. I do, I do recall some sort of talk about it, but I just don't know what it was.

30 Do you recall him saying something along the lines of there would be some jobs where Complete Building Fitout would get the work, and there would be others where other contractors, that is companies controlled by other people, would get the work and Complete would miss out?---I, I, I think, I think he decided that in the early stages without really telling anyone.

So is it your recollection that your knowledge of there being in effect a group of companies that were quoting and doing dummy quoting, you weren't informed of that until a later point in time?---No, I don't think so, no. I don't recall, no.

40 And you say about 2015 or so is your recollection with Mr Alameddine? ---That's what, that's, maybe even later with Mr Alameddine, but it wasn't, it wasn't very regular with Mr Alameddine either, it wasn't like a, a thing that was done all the time.

So is it the case that the meetings with you, Mr Chahine and Mr Dubois were fairly frequent?---We saw each other more frequent, yes.

And I'm talking about meetings to discuss jobs and jobs that would be quoted at a specified price.---Depends on the job, but if the job didn't need any discussing then there was no discussion.

But those discussions of that nature, that is where he told you a price that a job was to be quoted at, the discussions of that nature and the meetings of that nature happened not infrequently with Mr Dubois, I'm going to suggest, from about 2011 onwards.---No.

You agree?---I agree, yes.

But then you say meetings of that nature that involved Mr Alameddine were not very often.---In that early period, no.

10

Well, you say in the early period, don't you, that you don't recall any meetings of that nature?---No, no, nobody ever met up and - - -

All right.---Yeah, I don't recall any of that.

But then later in time, you say commencing in about 2015, do you say that the meetings involving just you, Mr Alameddine and – sorry, I withdraw that – you, Mr Chahine and Mr Dubois still happened from time to time? ---They still happened, yes.

20

But there were occasional meetings of that sort where Mr Alameddine was present as well.---Mr, Mr Alameddine sometimes was brought to meetings because Alex will, Mr Dubois would be coming to see us, and then what he'll do is he'll ring up Mr Alameddine and tell him to come to the same meeting so he can hit two birds with one stone, talk to him about what he needs to talk about on their own or something, and talk to us what he needs to talk about so he can - - -

30

And where can you recall meetings of that sort, involving Mr Alameddine, occurring?---They were mainly done at our factory.

And is that in Hephher Road in Campbelltown?---Correct.

And I'll take you to that later, but that's something that you acquire in 2016, do you recall that?---That's what I'm saying. It was later, yeah.

40

But once those sort of meetings with Mr Alameddine attending occurred, they did then occur with some frequency from 2016 through to 2019, correct?---There was some time, yeah, it wasn't all the time, but it was – he frequented the, whenever sort of Mr Dubois told him to, but it wasn't always just for putting in quotes or anything like that. It was sometimes for them to sort out something they were doing together through their work.

But even when there were meetings that only involved you, Mr Chahine and Mr Dubois, do you recall that there were times where he would mention to you that Mr Alameddine's companies were also going to be putting in quotes, but, for instance, you, CBF, sorry, Complete would win this job, and

Mr Alameddine's company would put in a quote but wouldn't get it?
---Correct.

And other times he would say to you, "I need Complete Building to put in a quote for this one, but Mr Alameddine's company's going to get it"?
---Correct.

10 So that in effect you understood there were swings and roundabouts. You got some and other jobs went to Mr Alameddine's companies.---Correct.

And that what you were doing was, where you got the work, you were getting the benefit of Mr Alameddine in effect quoting at a higher price as a dummy.---Yes.

20 And then when it worked the other way, that when he got the job through his company, that he got the benefit but you were then assisting through putting in a quote at a higher price that wouldn't be accepted.---Correct. You should, you, you have a fair indication on how many times that happened by quotes that Mr Alameddine was included. You know what I'm trying to say?

And I'm going to take you to specifics of it.---Yeah.

But it was something you were aware of that was occurring with some regularity from the time you first started meeting with Mr Alameddine along with Mr Dubois, correct?---Yes. Yeah.

30 Now, as far, I've taken you through the process of meetings and discussions with Mr Dubois where he, in effect, tells you that the quote should be put in at a certain price, and you've indicated that you always had the understanding that that meant that ultimately there was a kickback that was going to be paid?---Correct.

And you've indicated that you recall perhaps some early small payments of cash.---Yes.

40 And I've already asked you some questions about whether you recall there then being a process of paying cheques that you understood went to an account that was set up for another company?---Yes. I remember him telling us to make a cheque out to a company (not transcribable) cheques.

And you'll recall, I asked you about the company, whether it was you could recall it being MWK Developments before. You confirmed you couldn't remember the name, although - - -?---I couldn't recall the names, no.

But as far as the time period, I'm going to suggest that the first payments that start going into MWK, that is via cheques from Complete Building

Fitout, coincide with you getting the bigger work from Mr Dubois, that is really starting with that Mount White exit lane job.---Yes.

So can you recall in your mind that it was around the time – and I know it's some years ago – that you got paid on the Mount White job, your first big Complete Building Fitout job, that Mr Dubois then said, “I need a cheque in favour of this company”?---That, that may have happened, yes. That may have happened. I'm not going to rule it out.

10 Well, can I – to try and put some substance to that, can I take you back to the schedule which is volume 2.1 at page 2. And you'll see that the payments in respect of Mount White, just to remind you, were made 26 May, 2011, 49,500.---Yes.

And then 20 June, 2011, \$198,000. So making up the total of \$247,500. ---Yes.

I now want to take you to some records in respect of Complete Building Fitout, and you'll recall I already suggested to you that – so Complete Building Fitout had an ANZ bank account?---Yes.

It's the case, wasn't it, that you typically banked with St George?---Yes.

So that where you opened accounts at the time, they tended to be with St George because that was your bank?---Yes.

Mr Chahine had tended to bank with ANZ?---Well, we started off Complete Building Fitout, yes, with ANZ.

30 With ANZ.---Yes.

And I'm going to suggest to you that the account number for – I can take you to some banking records – but the account number for Complete Building Fitout ended in 4-6-7-5.---Yes.

Do you recall that number? It was a number that was operated for some years.---I don't recall numbers, mate. Sorry.

40 In any event, can I take you, please, to volume 5.1, to page 1. Now, you'll see that MWK Developments had a bank account and you'll see that the account number ended in 4-5-6-9?---Yes.

And you'll see that this was opened on 31 May, 2011?---Yes.

And you'll also see on that page it indicates anyone – opened at Westfield Centre Court.---Yes.

And ticked, "Anyone to sign." And then if we go ahead, please, to page 3, you'll see that the signatories were Towfik Taha as director and Hassan Habbouche as third party.---Yes.

And that's signed on 31 May, 2011.---Yes.

So again, you're familiar with Hassan Habbouche being Mr Dubois's name, as you first understood it?---Yes.

10 So just bear in mind that account number, please, 4-5-6-9, being the MWK Developments account. Can I take you then, please, to page 4? And you'll see that this is a bank statement for MWK, that same account, 4-5-6-9?
---Yes.

And do you see that there is a deposit on that page on 22 June of \$73,150?
---Yes.

20 Can I take you then, please, to page 8? And you'll see, this is a voucher from the ANZ but you'll see it relates again to that deposit of \$73,150.
---Yes.

And do you see there are two account numbers? The top number 4-5-6-9, is the account for MWK that I took you to.---Yes.

And you'll see at the bottom, the number is, the last four digits, 6-5-7-5.
---Yes.

30 Now, just to confirm that I am not making it up about Complete Building Fitout, can I take you, just as an example please, to the statement for Complete Building Fitout at page 155, same volume? And you'll see that the statement is for Complete Building Fitout. It's ANZ and you'll see that the last four digits are 6-5-7-5?---Yes.

So going back, please, to page 8. What I am suggesting to you is that the deposit that we saw into the MWK Developments account on 22 June, of 73,150, it was to account number 4-5-6-9, being MWK Developments and it's from account 6-5-7-5, being the Complete Building Fitout account.
---Yes.

40 And then finally can I take you to page 11? And you'll see that it, again, is an ANZ internal record, confirming that it was cheque deposit of 73,150 on 22 June, 2011.---Yes.

So, bearing in mind that I took you to the schedule of payments indicating that the \$198,000 was deposited into Complete Building Fitout's account on 20 June, 2011. What this demonstrates is that literally two days later a cheque for 73,150 is drawn and deposited into MWK Developments' account.---Okay.

Now, just pausing there. Does that assist at all as to whether that may have been the first occasion when Mr Dubois asked for a large-scale kickback?
---So that's from the Mount White job?

Well, it's literally, it's two days after the second payment that was made on Mount White. That was on 20 June and the first payment on Mount White was made on 26 May. So 26 May, 49,500 is paid, and then on 20 June, 198,000 is paid into Complete Building Fitout.---Is this the first time MK-
10 whatever gets a payment from CBF?

It's the first record of a payment.---Well, how can I argue with you?

Well, I'm just wondering whether you can recall whether he came to you specifically about that job and asked for that amount or whether he might have said, "This is what I'm owed across a number of jobs that you've been doing for me in recent months."---It may have been, it may have been across the board, it may have been across the board and got paid and we fix it up.

20 Just thinking about the sums, so the total price of that job was 247,500, inclusive of GST.---Yes.

It obviously involved subcontracting, you've indicated that there was - - -?
---That was a big job, yeah, Kankool was a massive job.

And you indicated that Ozpave was the company that you were using initially for your paving.---I got Ozpave to do the, the paving but I also had to do a shitload of - oh, sorry, excuse my language.

30 That's all right.---But a hell of a lot of line marking, excavation, pole removal, I've seen it on the quote, it was, it was a substantial amount of work.

So there were a number of subcontractors engaged along the way I take it.
---As well as myself and Mr Chahine working, yes.

Well, it would seem then that the kickback, whatever it related to, whether it's one job or more, is 73,150.---It's substantial, yes.

40 Now, noting that the total value of that Mount White job, which is 247,000 plus GST, or 225,000 plus GST, do you believe that is a kickback that relates just to that job or do you think that that margin is too big?---I cannot, I cannot, I cannot recall. It's, it's, it's, it's a big margin, isn't it. It could be from that one or it could be off two, I really can't recall, but nevertheless, it's a kickback.

And it's a kickback that is likely to reflect Mr Dubois telling you that that was the price to bill at and you ultimately then having to do your own sums as to see what profit you got out of it.---Yes, correct.

But presumably the 73,150 would have reflected the reality that after you'd done all of the costings on it there was enough left over, perhaps with a modest profit for you and Mr Chahine, but that that money was available as a kickback to Mr Dubois.---Correct.

10 Now, then if we move then to the Kankool job – I'm sorry, before I move to that, can I take you to the next relevant record, and that is the next payment after the 22 June, 2011 payment by Complete Building Fitout. If we go, please, to page 26 of volume 5.1, and you'll see that on 15 August, 2011, MWK into the account ending in 4-5-6-9 makes a \$35,750 deposit.---Yes.

Can I then take you, please, to page 27, and you'll see in a similar manner to the ANZ account record I took you to before, you'll see that there are two account numbers there. The top number is 4-5-6-9, the MWK Developments ANZ account number.---Yes.

20

And the bottom number is 6-5-7-5, which was the Complete Building Fitout account number.---Yes.

So I'm suggesting that that was a cheque for 35,750 drawn and then deposited by MWK into its ANZ account on 15 August, 2011.---Yes.

And if you could go, please, to page 29, you'll see that confirms that it was a cheque for 35,750, deposited on that day, 13 August, 2011, into the account for MWK Developments.---Yes.

30

Now, bear that date in mind, that that is a payment made on 15 August, 2011 the deposit is made. If you go back, please, to the schedule at volume 2.1. And if we could go, please, to page 2. You'll see that in that period – well, you see there's three deposits made in the third yellow grouping as you go down the page, 18 July, 2011, 21 July, 2011 and 4 August, 2011.---Yes.

40 And you'll see that they relate to safety barrier installation at Marulan, safety barrier installation at Jones Island and safety barrier installation at Raymond Terrace.---Yes.

And adding those up, I'm going to suggest that what they come to is \$170,104 across those three jobs.---Yes.

And then bearing in mind that I've just shown you that there was a cheque drawn and presented from Complete Building Fitout and paid into the MWK Developments account on 15 August of 35,750 - - -?---Yes.

- - - is it likely that that represented a kickback across those jobs that were done in July/August?---Very likely.

Do you have the recollection that sometimes Mr Dubois would nominate a figure to you and say it's from this job, this job and this job?---Yes. Or he could say, "I want yada yada yada, and it adds up to that much."

10 Can I ask, was there ever a time when he nominated the figure that he wanted, where you pushed back and said, "That's too much, we can't afford it on this job"?---There was many instances of, yeah, anywhere.

So were there times when you had some negotiations with him about how much he got after he nominated a figure?---Yeah, possibly then or it would have been just arguments or something just about it in general.

How did those arguments typically end? Would he get what he wanted or were you able to negotiate him down?---Oh, he would still, yeah, get what he wanted.

20 Now, can I take you then, please, to volume 5.1, page 26. Sorry, I withdraw that. To page 30. And do you see again it's the MWK Developments account, number 4-5-6-9?---Yes.

And do you see on 28 December, 2011, there is a card entry deposit at the Bankstown branch for \$50,000?---Yes.

30 Can I take you then, please, to page 31. And you'll see with the account numbers, again, they confirm 4-5-6-9 being the MWK Developments ANZ account?---Yes.

And 6-5-7-5 being the Complete Building Fitout ANZ account.---Yes.

And if you go then, please, to page 35, you'll see that it confirms that it was a cheque deposit of \$50,000 on 28 December, 2011.---Yes.

So I'm suggesting that the next cheque that was given to Mr Dubois, drawn on the Complete Building Fitout account, was \$50,000, and it was deposited on 28 December, 2011.---Yes.

40 Now, if we could go back, please, to – bear that date in mind, 28 December, 2011. If we could go back, please, to the schedule at volume 2.1, page 3. And you'll recall that I took you earlier to the payment in respect of the Kankool stage 2 entry works.---Yes.

And the record shows that that payment of 281,050 was made on 23 December, 2011.---Yes.

It's likely, isn't it, that that \$50,000 cheque that was drawn by Complete Building Fitout and paid to MWK Developments represented the kickback that Mr Dubois asked for arising out of this job?---Very likely.

And it's the case, isn't it, that that pattern then having been established with the larger jobs in 2011, on many, many occasions with jobs he would come to you, after having some initial discussions about what job would be quoted at, after it was completed, and saying, "I now want, 30,000, 50,000, \$60,000."---Correct.

10

And do you recall that there was a period of time when those payments were made into MWK Developments?---Like I said, I remember writing out cheques to a company that he wanted us to write them out to.

I'm going to suggest that there were ultimately 11 cheques that were deposited between June 2011 and October 2012, that is cheques drawn in favour of MWK Developments. Does that sound about right?---Yes. I don't know the amount, so - - -

20

And I'm going to suggest that of those, nine were cheques from Complete Building Fitout and the last two were cheques from CBF Projects.---Okay.

And just on that front, I've taken you to the Complete Building Fitout records. Can I take you just to the CBF Projects. First of all, do you recall that once CBF Projects was on the scene that the works typically got bigger, the jobs were getting bigger?---I think they were just getting bigger in general. I think there was just more work starting to become more available.

30

And I'm really moving now into 2012, not 2011.---Yes.

Can I take you, please, to volume 5.1, page 65? And do you see again it's the account for MWK Developments, 4-5-6-9, and that there is a deposit on 2 October, 2012, at the Sydney Airport branch of 75,900?---Yes.

Can I take you then, please, to page 66? And you'll see that the account number at the top is 4-5-6-9, that is the same MWK Developments account. ---Yes.

40

But the account number at the bottom is a different one to what I've been taking you to. This one is 2-1-6-3.---Yes.

And can you recall that when CBF Projects was set up, it was set up with a new ANZ bank account?---I don't remember but, yeah. It must have.

Can I take you, please, to page 70? And you'll see this is the actual cheque drawn on the CBF Projects account. The account ends in 2-1-6-3.---Yep.

Could we just enlarge it a little, please? And it's for \$75,900, as per the deposit record, into MWK Developments.---Yep.

And is that Mr Chahine's signature, do you recognise?---Yes.

So, you'll see that it indicates that in – that cheque is drawn on 26 September, but if one goes back to the account record, it's deposited on 2 October, 2012.---Yes.

10 And do you recall that it was sometimes you and sometimes Mr Chahine who gave the cheques to Mr Dubois?---I can't remember who gave it. Nevertheless he received it.

And then if we could go, please, to the last of the CBF Projects cheques for MWK Developments. So same volume, 5.1, page 65. Now, you'll see that on 11 October, 2012, there's a deposit of \$121,000.---Yes.

20 And in that regard, can I take you, please, to page 72? And you'll see that the \$121,000 according to the first number, it goes into account 4-5-6-9. ---Yes.

And it's made up of two amounts, 77,000 and 44,000.---Yes.

And do you see that the \$44,000, the number is 2-1-6-3?---Yep.

Which was the account number that the cheque I just showed you from the CBF Projects ANZ account bore.--- Yep.

30 And if we go ahead, please, to page 78, you'll see that a cheque is drawn on 9 October, 2012, MWK Developments – sorry, in favour of MWK Developments and it's \$44,000.---Yes.

And again you'll see the account number 2-1-6-3.---Yes.

So on that occasion, that cheque plus another cheque were deposited.---Yes.

And just to confirm how the sum was made up, you'll recall that the other sum was \$77,000.---Yes.

40 If we go back to page 77, please. And you'll see that it's a cheque from TTS Group Investments in favour of MWK Developments for \$77,000. ---Okay.

And I'm going to suggest that that was Mr Towfik Taha's company. You recalled I think earlier that he was operating through a company, you just couldn't remember the name.---Correct.

Now, I've asked you about your recollection of being informed by Mr Dubois that there was this company that he wanted moneys to be drawn in favour of, and you've confirmed that you can remember him nominating a company but you couldn't remember the name.---Yes.

But do you recall there only being a period of perhaps mid-2011 to late 2012 when he was asking you to make payments into that company?---Yes.

10 Do you recall whether something happened that meant that he – well, that led to him suggesting that he wanted the moneys paid in some other way?
---No. I don't remember.

Well, in terms of timing, do you recall at some point in 2012 Mr Dubois or perhaps someone else telling you that MWK Developments had actually, in addition to receiving moneys into it in the form of kickbacks, had actually become a company that was doing some RMS work?---I had no idea, mate.

Never heard of that?---No.

20 Do you remember any meeting that Towfik Taha and his brother Hussein Taha were present at that you were present at in 2012?---I've only had one meeting, and that was his brother, me, Mr Chahine - - -

Sorry, when you say his brother, that's Mr Goldberg?---Yes.

You're aware that Hussein Taha now goes by the name John Goldberg?
---Mate, I'm, yes, it's, yeah, I, I didn't even know.

30 Accept that from me.---Yeah, I believe it, yeah.

What name did you know him under?---I don't remember but it was a funny name or something like that, a nickname or - - -

Well, do you remember Adam Malas or - - -?---No. I - - -

- - - Humphrey, a nickname?---Maybe Humphrey or something like that, he might have referred to him or, or, or Taha's brother or something like that. It wasn't, I, I, I really didn't know who he was, yeah. I've only met him once ever.

40 Tell me what were the circumstances of you meeting him the one time.---I get a phone call from Mr Dubois for me and Mr Chahine to go to his place for a meeting.

And what's your best recollection as to time frame, roughly? Is it very recent times, a long time ago?---No, it was, might have been around '12 or something like that. I can't really remember.

But going back some years.---But I, I, I did have to go, yeah. We went there, me and Mr Chahine, and, and - - -

At Mr Dubois's house?---Yes, correct.

And when you get there, who's present?---Humphrey, Mr Alameddine, Mr Dubois, me and Mr Chahine.

Not Mr Taha?---I don't remember Mr Taha being - - -

10

That's Towfik Taha. I should be specific. All right.---Yeah, I, I, I really don't, it really doesn't ring a bell that he was there. I don't know.

And what's your recollection, then, of what occurs at that meeting?---I was told that, to hand over my company and a sum of \$40,000.

And first of all your company at the time was Complete Building Fitout? ---CBF Fitout. Correct.

20

But Complete Building Fitout, I'm going to suggest Complete Building Fitout not CBF.---Complete Building Fitout.

CBF Projects comes into effect later, I'm going to suggest.---Yeah, I think it was Complete Building Fitouts, yeah.

So you attend the meeting with Mr Chahine?---Yes.

And someone suggests that you hand over the company and a sum of \$40,000.---Yes.

30

And who suggests that?---I can't remember. I think it was a mixture of maybe Mr, Mr Dubois and Humphrey. I can't really remember.

And this is the first time you've met Humphrey?---Pretty much, yes.

Well, you say pretty much. Do you recall having met him beforehand? ---No, no, this is the first time I meet him, yeah.

40

Well, I take it there must have been some discussion that led to the suggestion you hand over your company and money, because it would come as a bit of a shock as to why you would want to, why that request would be made of you, wouldn't it?---Well, I was told, I was told on that day because he needs to shut it down a certain way so nothing is traced to Mr Dubois and Mr Taha, but I didn't want a bar of it.

THE COMMISSIONER: When was this meeting again?---I, I, I don't know the exact dates, Commissioner.

No, what year are you talking about?---It might have been around '12, might have been, '11 or '12, I really can't remember.

Where did the meeting take place?---It was at Mr Dubois' house.

And who called the meeting?---Mr Dubois called the meeting, he called me, yeah.

10 What did he say?---To go to his house, me and Mr Chahine, he needs to talk to us.

He didn't say what about?---No, I didn't know what it was about till I got there.

Because the company had been operating at that time for about what, four years?---Complete Building Fitout, that's correct, yes.

20 And so what did Mr Dubois say again, you need to shut down your business or your company?---You need to hand over the company, and I think it was a sum, if I remember correct, of about \$40,000.

\$40,000 to whom?---I have no idea, Commissioner.

Just to hand over \$40,000?---And CBF Fitout to Mr Goldberg or Humphrey.

Just to be clear about it, you're talking about the \$40,000 was indicated it was for the benefit of Mr Goldberg, was it?---I really don't know who was benefitting from it, Commissioner.

30 And this is a rather extraordinary request.---That's why I didn't take it, Commissioner.

No. Well, what did you say?---I said no.

And what happened then?---We left. Me and Mr Chahine just left. We weren't there for too long. We told, we said that we weren't interested, I told, yeah, we just said we weren't interested and if anything we, we can do our own stuff.

40 Well, was anything said as to the consequences if you didn't agree with this proposal?---I can't remember, but he was, we were pressured, there was a bit of pressure to actually go, go ahead with it, but we weren't, like I said, we weren't interested. We weren't just going to hand over a company to someone, you know.

No, I can understand that.---We were really, yeah.

And you say you felt pressured by this.---Yeah, I felt pressured by the whole situation, even for it to arise like that and for me to hand over a sum and a company, so I wasn't, me and Mr Chahine weren't very sort of happy about it, if I, if I can say, yeah.

You must have been completely surprised.---Yeah, it was a pretty big surprise, yes.

10 So when you speak of pressure, pressure can be brought about by a number of, in a number of different ways. How was it being brought about on you and Mr Chahine?---It was, it was, it was pressure of consequences if we didn't do it, Commissioner.

That's what I understood, yes. And so far as it was spelled out to you, the consequences were?---That if we didn't do this there will, everything will be tracked to Mr Dubois and we will all be in the shit

20 Was there any threat that the work would also terminate, I suppose, the RMS work?---I don't remember if we got into it, but things were on rocky grounds then.

Yes, thank you.

MR DOWNING: Can I just ask you, you've indicated that as best you can recall, this was a discussion in about 2012 that you're called to a meeting. ---'11 or '12, somewhere around there, yeah.

30 And I'll have in a moment a photograph brought up, not just yet, but to see if you can confirm that the person that we understand to be Mr Goldberg is Humphrey, as you understood him to be.---I, to be honest with you, don't even show it to me because I do not remember what he looks like.

Well, we might still try and see. In any event, for now, can I just ask this? You'd established Complete Building Fitout in 2008.---Yes.

And by 2010 it seems you're doing RMS work.---Correct.

40 If we're now on 2012, were you still doing work outside of the RMS through Complete Building Fitout?---It was, it was starting to, it was starting to dim. Like, we were still doing work here and there but we were starting to lose builders and contractors because we were always away and we weren't able to service their needs even though we were trying with our own subbies and stuff like that. But that was sort of melting a little bit, if you can say because of that reason of us always being away more than anything.

So is it the case that you were still doing some outside, non-RMS work by 2012?---I'm pretty sure we were. Either '11 or '12, I can't remember. We,

we were doing, I do remember still doing work outside the RMS while I was at the RMS.

Is it the case that from the first jobs you did, and you'll see from what I took you to before, the schedule would suggest that they were TIRTL jobs in the 10,000 or \$20,000 mark?---They were little fish, yeah.

10 But is it the case that at that point you were still doing quite a volume of outside, non-RMS work?---Oh, we were doing still outside RMS work for a substantial time in the beginning.

But then that diminished over time through to about 2011 or 2012?---We were always on the road, yeah.

To the point where you stopped doing anything except RMS work, correct? ---Well, correct, yes. We were just, we just started doing it and we started acquiring all the stuff we needed to do it and stuff like that, and it just, it got to a point where we had nothing else.

20 And it was, as time went on, the jobs got bigger and there were more of them?---Correct.

So that they fully occupied the time that you and Mr Chahine had, even using subcontractors?---They had us on the road for, like, nine months of the year, mate.

30 Now, thinking back to that discussion, you say that this request is made of you that you hand over Complete Building Fitout and a sum of money as well. Did you understand that that was in return for someone doing something, that you were going to get some benefit in return for handing over the company and providing a sum of money?---I don't think it was, there was a - I, I don't, I don't know what you mean by benefit.

Well, I mean, in effect you were giving over a valuable company that's been doing work.---Yes.

And a sum of money.---Yes.

40 Did you understand that you were getting anything in return for acquiescing with what was being asked of you?---I, I, I, I'm, like I said before, I'm not computer smart but I'm pretty street smart and I know that I would be getting absolutely nothing for it because there is nothing you can do.

In effect you thought that what was being put to you was a terrible deal but, in effect, you were being backed into a corner?---Correct.

But ultimately you didn't agree and you say that you decided to do your own thing?---Correct.

And was your own thing to stop using Complete Building Fitout and move to using CBF?---We did change over to CBF Projects and the main reason for that was by then we were doing mainly, like, project work, concreting and civil and all of that sort of stuff. With that Fitout, it just didn't sound good anymore, so we changed over to CBF Projects, mainly for that reason. It wasn't for anything else because even if we closed the company or something like that, as if you can't still get the records for it. So it wasn't for that reason, it was mainly for it just sounded better when you do work.

10

THE COMMISSIONER: But these are projects not for RMS?---Oh - - -

The company CBF Projects was to do projects for people other than RMS? ---No, Commissioner. We were still, we were still doing work for the RMS.

Still doing - - -?---Yes. But it, it, it, when you got, it says CBF Fitout to CBF Projects, and you're doing major project work, so that's why we change it to that and we still kept the first CBF anyway. Like, it's not like we were changing companies entirely.

20

No, you kept the name.---That's what I'm saying, it was for mainly it sounded better for work purpose.

I understand.

MR DOWNING: But you're saying "mainly." Was a factor in it though something that was said to you at the meeting about the traceability payments that had been made from Complete Building Fitout into this company that you understood Mr Dubois wanted the moneys paid?---No. Not, not really, no. Because I'm, I'm not, I'm not stupid to think that just because you change, you close the company or something like that, that there's all these records can't still show anyway. So it was mainly, it was, the, the change of the company was mainly because it sounded better for work purposes. That's the honest, mainly.

30

But in a sense by that point the only work you were doing was the RMS anyway.---Yeah, correct, but it just sounded better because the RMS work we were doing wasn't just fit-out work. It was project work. And if I was really, it was for any other reason, I wouldn't go give him another two cheques, like you just said before, from CBF Projects. You know?

40

THE COMMISSIONER: Were there any repercussions for you rejecting the proposal to hand over CBF and \$40,000?---I don't believe so, Commissioner. I don't believe there was any repercussions or anything like that. Like I said, things were on steady ground because of my refusal or – it's just the whole thing to come about. There was a bit of a, yeah, a bit of a ruckus over it, sort of thing.

Anyway, no consequences or adverse consequences?---No, Commissioner.

MR DOWNING: Mr Hadid, you indicated that you understood you were being asked to hand over the company and pay money, but effectively for nothing.---I was, I was told that I, I had to hand it over and \$40,000 for all the records and everything for this company to not exist anymore. And I knew something like that was impossible.

10 So in effect it was put to you that what you were paying for was for the company to be gotten rid of?---Gotten rid of, correct.

And did you understand it was Mr Goldberg, aka Humphrey, who was going to be the person that was going to take care of the company?---I believe so, yes.

Was it he that did most of the speaking or Mr Dubois who did most of the speaking when this proposal was being put?---I really can't remember, but I, I think maybe he might have done most of the speaking.

20 Now, you say that you recall that Mr Alameddine had been summoned to that meeting as well?---Yes.

And was the proposal of handing over a company and paying some money put to him as well, did you understand?---It was over the board, Counsel. It was over the board. Everyone.

So do you recall there being a discussion that some - - ?---For everyone.

30 So just breaking it down, there was mention of the fact that your companies and Mr Alameddine's companies had been paying money into MWK?
---Correct.

And that that was the money that was the kickback to Mr Dubois?---Correct.

And that there was a concern to get rid of the companies that had been making those payments that might be traceable in some way to Mr Dubois?
---Correct.

40 Was there any concern expressed about how Towfik Taha might be involved in all of this?---I really can't remember that being brought up or anything.

So no mention about it - - ?---I don't.

- - - MWK being his company or anything of that nature?---No, I, I, I don't think so, no.

But do you recall what Mr Alameddine's response was to the proposal? I mean, you've told us about yours and Mr Chahine's.---No, I don't remember him actually saying yes or no. I don't, I don't, I don't recall. I don't remember.

Was it a brief meeting? Did it go for hours?---I didn't want to be there for too long after that. Yeah, I was out, see ya later.

So you and Mr Chahine, I take it, left together?---Correct.

10

And did you, on leaving, just agree that – well, between the two of you agree that you weren't going to do what was being asked of you?---I said, we said straight away we, we'll do our own thing, we're fine.

And was there any attempt to change your mind about that?---There was several attempts to make sure, like, this is something that we have to do, it's important and stuff like that.

By Mr Goldberg or Mr Dubois?---I can't remember.

20

In any event, you didn't do it.---No.

And do you recall that, not long afterwards, that Mr Dubois communicated with you that he wanted to receive payments in some different way?---Like I said, he always just told us what to make it out to, and we did.

Well, I'm going to suggest it was for a period from mid-2011 to late 2012 where you were drawing those cheques in favour of MWK Developments, and I've shown you a couple of the actual cheques.---So after that meeting, we continued paying cheques from CBF Fitout.

30

Well, I'm not certain when the meeting was.---Yeah.

But I'm suggesting that the last of those cheques was drawn in – it was October 2012.---From CBF Fitout?

From CBF Fitout to MWK Developments.---Okay.

And what I'm asking is whether you can recall, in late 2012, Mr Dubois telling you that he now needed to be receiving payments in some different way.---I don't remember but I do remember you telling me, I think today, about it was made to another company or something.

40

Well, but you just say you don't recall.---I don't, I don't recall, no. I don't recall.

In any event, it's the case, isn't it, that it was in the second half of 2012 that CBF Projects is established?---In 2012?

2012.---Okay.

And I'll take you to the search, volume 2 point - - -?---No, that's - - -

No, just in fairness so you know the dates, volume 2.1, page 36. And you'll see that CBF Projects is registered 13 July, 2012, and is that, that's your address?---No, it's not.

10 Sorry, Mr Chahine's address.---Yes.

I'm sorry, that is the registered office and principal place of business.---Yes.

And if we go to the next page, you'll see that the director and secretary were Mr Chahine?---Yes.

And he held the shares.---Yes.

20 So the set-up was consistent with what had been the case with Complete Building Fitout.---Correct, yes.

And just in terms of the dates, just to remind you, that CBF Projects was not deregistered until October 2013, 16 October, 2013.---Yes.

Can you recall why it was that you kept it registered for a period so that there was some overlap between Complete Building Fitout and CBF Projects?---I have no idea.

30 But do you recall that once – I'm just going to, from now on, refer to CBF Projects as CBF, so I'll refer to Complete Building Fitout as Complete, and CBF as, CBF Projects as CBF.---Okay.

Do you recall though that once CBF was established in July 2012, that Complete stopped doing RMS work?---Correct.

And CBF began doing RMS work?---Yes.

40 And CBF then continued doing RMS work for many year, right through until 2019?---Yes.

Now, later in time, after CBF was established in July 2012, it's the case, isn't it, that you and Mr Hadid [sic] had further companies that were set up? ---Yes.

And that is, I'm talking about companies to do RMS work.---Yes.

And if we could go, please, to volume 3.1, page 14, and just while that's coming up, can I just confirm though with CBF as opposed to Complete

Building Fitout, CBF was operated in the same way that while it was Mr Chahine on paper as the director, shareholder and secretary, you ran it together effectively as a partnership?---Yes.

And you'll see that on 24 March, 2015, Euro Civil & Maintenance is registered.---Yes.

Now, was that your address at the time that's shown as the registered office?
---No, that's not my address, that's the address of my tax agent.

10

Okay, I'm sorry. If we go then, please, to the next page, and you'll see that – or sorry, going back to the page before at the bottom, you'll see that under Director, and then go to the next page, it's you, you're the secretary and you're also the shareholder.---Yeah.

Now, first of all, was that company, Euro Civil, set up as your and Mr Chahine's idea or at the request of Mr Dubois?---It was at the request of Mr Dubois.

20

And can you recall him explaining to you what it was that he wanted, well, sorry, why it was that he wanted you to set the company up?---He wanted us to set the company up so he can break up the jobs so it didn't look like all the jobs were going to one company.

Did he assist in coming up with the name?---No, I don't think so.

And bearing in mind that that was then 24 March, 2015, it's the case, isn't it, that it then started putting in for an obtaining RMS work?---Correct.

30

And then do you recall that a subsequent company was set up, Ozcorp Civil?---Yes.

And if we go, please, to volume 3.1, page 33, and you'll see that Ozcorp Civil is a bit later in 2015, it's registered on 21 August, 2015?---Yes.

And if you go over the page, please. Sorry, before we do that, the address that's listed as the registered office and principal place of business, whose address was that?---That's my family member's house.

40

In-laws?---Yes, correct.

Thank you. If we go to the next page, you'll see that according to the record, Kristen Tui is the director, secretary, and if you go over the page, also the shareholder.---Yes.

Is it the case that you asked her to do that?---Yes.

Did she have anything to do with the company?---No.

Other than perhaps signing the documents for it to be established.---Correct.

And also being the signatory on the bank account so that the company could have a bank account?---Correct.

It's correct, isn't it, that she's a stay-at-home mum with the kids?---Correct.

10 And effectively she asked what you asked – sorry, she did what you asked her to do?---Correct.

And with Ozcorp Civil, can you tell us whether that was your idea or again something that was done at the suggestion of Mr Dubois?---That was, I wouldn't go open up a company to do more work because I want to do it.

From your point of view, you were perfectly happy, I take it, doing work through CBF?---On its own, yeah.

20 So was it Mr Dubois said to you that he needed another company that could be putting itself forward for work?---Mate, to be quite honest, I think, I think the second one, Euro, might have been brought up in a meeting when Mr Dubois and Mr Steyn and all that were there, that it was beneficial if we opened up another one so they can split the work up across the board so it doesn't look like one company's got it.

Getting too much.---Yeah. And that's mainly what it was set up for, yeah. I was told to open it up for those reasons.

30 But Ozcorp Civil, is that the same case again?---It's the same case, mate, yes.

And it's the case, isn't it, that Ozcorp Civil, like Euro Civil and CBF Projects before it ended up getting RMS work?---It did, yes.

And at various times, each of those companies also acted as a dummy bidder.---Correct.

Both against each other, correct?---At times, yes.

40 And at times against other companies controlled by Mr Alameddine. ---Correct. Well, was there anybody else than Mr Alameddine?

Well, in the later years I'm going to suggest it was only Mr Alameddine's companies, and the relevant companies - - -?---Okay, then it was only Mr - - -

Sorry.---Yeah.

The relevant companies were Seina Group and EPMD.---Okay.

Now, you made mention of Mr Steyn, and his name hasn't come up in your evidence thus far. When do you recall first meeting him whilst you were doing work for the RMS?---Maybe I might have met him when I started doing work that he was ultimately in charge of, possibly.

So I take it that's through Mr Dubois?---Correct.

10 Was it on a worksite or out socially?---Would have been, it would have been on a worksite, along those lines, yes.

And what did he introduce Mr Steyn as?---He was just another project manager that worked with him.

And through that meeting and that introduction, did you then begin to do some work for Mr Steyn as well?---I never worked directly for Mr Steyn. I worked for Alex mainly as my project manager on some jobs that Mr Steyn was ultimately involved with.

20

And going back, thinking about the times that you were doing work and the periods that you've done work through Complete Building Fitout and then CBF, then Euro Civil and then Ozcorp Civil, how far back do you believe it was that you first met Mr Steyn?---Oh - - -

I'm obviously not asking for a precise date.---No, there's no way I'd be able to give you one. I, it, it would have been, it would have been around that 2012 mark, around there, '13 maybe, around that time.

30 And would you then see him onsite from time to time at the locations you were working at?---From time to time, yes. Not all the time.

And did you have an understanding that, with some of the jobs that you were doing under Mr Dubois, that Mr Steyn had an involvement with them?---Correct, yes. I knew, I, I, I gathered that he was mainly more involved with the point-to-point stuff. That was his main, main field.

40 Now, just thinking about Mr Steyn, you've told us with Mr Dubois the recollection you have in terms of being asked about quoting in a particular way and then paying kickbacks. Do you have a recollection of there being any interactions with Mr Steyn which ultimately led to kickbacks of some form being paid?---I did pay Mr Steyn kickbacks.

How did that come about?---Mr Dubois telling me to pay kickbacks to Mr Steyn.

So not an approach from Mr Steyn directly?---No.

And again, thinking back, what do you recall was the nature of the project? What were you asked about at the time by Mr Dubois?---I think it was stuff that had to do with his house.

And when you say stuff to do with his house, did you understand first of all that he lived at an address is [REDACTED]?---I found that out when I started paying the kickback.

10 But what did Mr Dubois tell you about his house, what was going on there?
---It was ongoing project and he needed bits and pieces, if we can help him out and stuff like that.

That is you understood there were works being done?---There was works being done at his premises, yes.

Now, did you ever actually go to the house and perform works?---I, I may have done bits and pieces there, yeah. Nothing major.

20 Do you recall what sort of work it was?---I might have done some,
something got to do with a theatre room or something like that, on the inside of the house, plastering - - -

Like a home theatre?---Yeah. A bit of plastering and stuff like that.

But besides that, or perhaps before I move on from that, on how many occasions do you believe you were there at the house to do work?---Oh, not much. Yeah, a couple of times or something like that.

30 A couple of days or something?---Yeah, something like that, maybe.

And going back, how many years do you believe ago that the work was done?---Oh, this was in, when he built the front house, around the front house, but before then, I don't, I don't really recall or remember. I might have gone there once or twice in the early days.

So when you say the front house, are you referring to the main house or the pool building?---The main house, yes. The main house.

40 Well, the records suggest that that work starts in 2015. Does that accord with your recollection as to roughly when that work might have been, in 2015?---I might have gone there before, before, yeah.

Do you recall ever doing any work in relation to the pool or pool building?
---I remember doing bits and pieces but I, I really don't remember what it was.

Now, separate to attending to do work, were you asked to pay for things related to the work?---Correct.

And again, was that an approach by Mr Steyn or Mr Dubois?---It was an approach by Mr Dubois.

And first of all, when he spoke to you about it, did he explain why it was that he wanted you to pay for it?---Yes.

10 What did he say?---He told me that the work that we're performing is Mr Steyn's work and therefore he will, he would do this stuff for him because of that.

I take it there was no discussion about you in some way being paid or reimbursed for what you were paying for?---No.

Do you recall then any particular items, that is building materials or costs related to the works that you paid for?---I remember paying for bricks. I think everyone's paid for bricks. Like - - -

20 So, bricks, anything else?---There is, there is a few things, I just, I really just can't remember exactly what they are.

Do you recall that one item that you were asked to pay for involved paving or pebblecrete-type paving?---Yeah, possibly, yes.

And do you recall a Mr Antoine Fedele who was doing the work and that was - - -?---Oh, yeah. That, yeah, the concreting. That pebble - - -

Was that concreting?---The pebble - - -

30 Pebblecreting?---Pebblecreting, whatever it is, yeah. All of that.

So do you recall who approached you about that?---I remember, I'm, I'm pretty sure it was Mr Dubois, yeah, telling me that Mr Steyn wants one, two, three, and - - -

Sorry, what's one, two, three?---The pebble.

40 Oh, sorry.---Yeah. The pebblecreting and all of that done and stuff like that and, yeah.

When he came to ask, that is Mr Dubois, for you to pay for some item related to the house, would he present you with an invoice or give you some details about what was to pay and who was to be paid?---Sometime he would give me a paper or, like, what it is or sometimes he will tell me where it is or what it is and I will call up, I will call up and, and, and just pay the bill and I think in regards to Mr Fedele, I think emailed me.

He contacted you about the payment?---Yeah, I think so. I, I, yeah, I think so. Payment and stuff like that.

Would you have any rough idea as to how much all up you paid in respect of the works on Mr Steyn's house?---No, I wouldn't have a -- I, I remember Mr Fedele being between 50 or 60,000 I think for the pebblecrete, and the bricks I've got no idea.

10 Okay, but again, though, I take it -- -?---Probably, probably, yeah -- sorry.

I'm sorry. I take it they were payments made from the moneys that have been earned from the RMS work?---Correct, yes.

20 Did you ever speak to Mr Steyn about the items you were paying for?---I mean, we, everything sort of had to go through Alex and stuff like that. He was a bit funny like that. He just wanted everything to always go through him and stuff like that. But on a few occasions, if we were on a, if we were on a job site or something like that and there was something I was organising or something like that, sometimes Mr Steyn might ask me a couple of questions about it or something like that.

Did you understand from the questions that he knew that you were paying for the items?---Correct, yes.

Over time, did you come to know Mr Steyn?---Yes.

You obviously developed a friendship with Mr Dubois over the years?---I, I developed a, a good relationship with the both of them.

30 And do you recall that you attended Mr -- you and your partner attended Mr Dubois's fortieth birthday in 2018?---I don't think it was a fortieth 'cause he's not quite 40 yet, so - - -

Oh, right. I'm sorry.---It would have been a birthday.

But a birthday at The Meat & Wine Company in Parramatta.---Meat & Wine Co, yes.

40 Now, separate to the contractor companies that you'd set up -- so Complete Building Fitout, then CBF, then Euro Civil, then Ozcorp -- it's correct that you set up some other non-contractor companies?---Yes.

And just if you could have a look, please, at volume 3.1, page 5. You'll see that this is a search for Euro Projects Pty Ltd.---Yes.

And again with the address, that's Mr Chahine's address, isn't it?---Correct.

And if we go to the next – sorry, first of all, so it’s registered 23 October, 2012.---Yes.

Sorry, November. My mistake. 23 November, 2012.---Yes.

If we go to the next page, you see that the original director was Mr Chahine, that’s from 2 December, 2012 to 23 November, 2012.---Yes.

10 No, I withdraw that. Let me start again. From 23 November, 2012 to 2 December, 2014.---Yes.

And that you then take over as the director.---Yes.

And it was the same arrangement with who was the secretary. Starts out as Mr Chahine and then becomes you on 2 December, 2014.---Yes.

And you’ll see that it’s just a company with a \$1 share.---Yes.

20 Over the page you’ll see that originally it was Mr Chahine as the shareholder and then you.---Yes.

Now, do you recall that, bearing in mind that this is set up in November 2012, why it was that Euro Projects was set up?---I’m pretty sure that was set up because we, we’ve started building on our properties, we’ve started construction work, and we were transferring money from our companies into this one to do that, so we can use that company to start building initially.

30 So that is on your personal property and Mr Chahine’s personal property? ---Personal properties, yes. Our own, our own stuff, originally, but it became a vehicle.

Vehicle to fund kickbacks into Mr Dubois?---To pay – correct. But that’s the main, I’m just letting you know that that was the main reason for it.

Well, when it comes to building on your own properties, do you mean like building a house?---Yes.

40 I mean, wouldn’t you want to just do that in your own name, given that it’s your own residence on a property that you own?---Because it was just money coming out of our companies where we were owner-builders and stuff, that’s why.

In any event, I’m going to suggest to you that Euro Projects gets registered in 23 November, 2012.---Yep.

At almost the precise time that MWK Developments ceases being used as a vehicle for kickbacks being paid to Mr Dubois. Do you have any

recollection of there being a discussion at the time about the fact that we're no longer, or Mr Dubois no longer wishes to make payments into MWK and wants you to set up some other vehicle that he can use for kickbacks to be funnelled to him?---I really, I really can't remember, no.

You say that, your, your - - -?---Ultimately that's what we were doing and we're going to do.

10 That's ultimately what happened.---Yes. And then later on it became - - -

But how long do you say that it was operated as a company that was going to be used to have money transferred in to pay for building works on your property and Mr Chahine's property?---I can't remember at all.

Did it ever operate that way, that is that money came in and it was used to then pay for building works?---I think ultimately that's what it was used for, or we, we might have started doing that then it, it became, it became a vehicle to pay for Mr Dubois' kickbacks.

20 But is your evidence that you believe there was some moneys paid in and then from that Euro Projects account, it then did pay for building works on your own properties?---We did pull out, I did pull out some cash and stuff that we did use on some building projects, I'm pretty sure.

So it goes in and then is withdrawn in cash to pay for building work.---Correct, yes.

30 So that we wouldn't find for instance records of EFT payments to someone for subcontract building work or for materials or something of that nature?
---No, mainly I used it to pull out some cash and I do remember paying for a car and bits and pieces, but I think you're going to get to that.

You mean for Mr Dubois?---Yes, correct.

40 I am. It would seem from the search I took you to that – and if we could just go back to it, please, so 3.1, page 6 – that there was some movement there between you and Mr Chahine when it came to who was the director, who was the secretary, who was the shareholder. Can you recall why that was? It starts off with Mr Chahine and then you take over on 2 December, 2014, after roughly two years.---I've got no idea.

You can't recall whether there was some - - -?---No, honestly.

- - - discussion about why you would, who would be the company officer?
---No.

You recall, I take it, that the company had a bank account.---Yes.

And who operated that bank account?---Possibly me.

Well, just I'm going to suggest that Euro Projects had an ANZ account - - -?
---Yes.

- - - with the account number ending in 1-1-8-5, and its signatory was Mr
Chahine.---Yes.

10 But do you recall, did he operate it day-to-day or did you?---Well, I'm not a
signatory on it, I can't really operate it.

Well, did he ever give you access to the internet banking or did he operate
that?---I, I didn't have – I don't think there was any internet banking for
this, was there?

Well, I'm going to suggest it had cards and it was set up for banking,
internet banking.---I remember, yeah, cards and stuff.

20 Do you recall though that next in time after Euro Projects there was another
non-contractor company that was set up?---Yes.

And that was Built Engineering.---Correct.

And if we go, please, to volume 3.1, page 30. And you'll see that that
company was registered on 9 June, 2015, so a few years later than Euro
Projects.---Yes.

30 And is it the case that that company has your address as the registered office
and place of business?---Yes.

And then if we go over the page you'll see that it's you as the director,
secretary and shareholder.---Yes.

Now, what was the purpose of setting up Built Engineering in June 2015?
---The idea was this, and I'm still 100 per cent that it was for doing
something with classic cars and all that, after speaking to Alex about it for
his love of cars and stuff like that, but ultimately it didn't do anything like
that.

40 It became another vehicle for funnelling kickbacks.---Correct.

So thinking back then, you say that there was a period when money was
being paid into MWK by Complete Building Fitout and CBF Projects.
---Yes.

And you say that you then set up Euro Projects, not to have anything to do
initially with funnelling kickbacks, but it becomes a vehicle for that.
---Correct.

Can you recall discussions with Mr Dubois in 2012 about how he wanted you to continue to make kickbacks to him?---He just wanted his kickbacks any way he can, so it's mainly, mainly like, he just wanted them, he just, any means possible.

Well, you say that Euro Projects, notwithstanding it being set up to do building works on your and Mr Chahine's house, became a vehicle for kickbacks.---Yes.

10

There must have been some discussion with Mr Dubois at the time about how it was he was going to receive money through Euro Projects?---I think he was, I think he asked for a, a car to be bought or something on - - -

That is a car that you'd purchased for him?---Yes, on his behalf and stuff, and I think we bought that through Euro Projects.

Well, was there some discussion at around the time of Euro Projects' creation though about what the form of kickbacks would be going forward.

20

That is how they would be paid to Mr Dubois.---I, I, I was, I was hugely against cash and stuff. I didn't like making any cash payments or anything like that. So - - -

What was your concern about cash?---I was always concerned about cash. I don't, I've, I've got a million things to do at home, or you know in my life, to go into a bank all the time and just pull out cash, you know?

Well, certainly by 2012 when Euro Projects has been set up, the, the kickbacks that are being paid to Mr Dubois, as I have shown you from the cheques that were drawn to MWK - - -?---They were cheques, yes.

30

- - - were tens of thousands of dollars.---Yes, correct.

So, I take it getting out cash in that sort of amount would have been something you didn't want to do?---A hundred per cent.

Because it would have drawn attention, drawing tens of thousands of dollars in cash?---And my time, having to do it and stuff like that.

40

So, the records show that there was a period of making cheque payments to Mr Dubois through MWK.---Ah hmm.

You say you didn't want to pay cash?---No.

Did you have some discussion with him, perhaps around the time of Euro Projects being set up about whether he might receive the benefits through Euro Projects paying for cars for him?---I, I, I, I think he, I think at that time he was, he was starting to get very interested in buying another car and I

remember he, him knowing he had a, a, a sum of money that was owed to him and he, he acquired a car and he said if we can pay a cheque to a specific dealership for him on his behalf.

So you recall a discussion, what, perhaps at around that time that Euro Projects established - - -?---Yeah, around, yeah, Euro Projects days, yeah.

Now, it's the case, isn't it, that you have a bit of a passion for cars as well?
---I do love cars too, yes.

10

And you knew that Mr Dubois did?---Yes, yes.

Do you recall a discussion at that time about whether, through your non-contractor company, Euro Projects, that you could perhaps facilitate the kickbacks not through cash or through cheques, but through that company buying cars for him?---I don't remember the exact discussion but that's ultimately what happened.

20

And then that continued on and in fact escalated, didn't it, with Built Engineering?---It did, yes, it did.

And between Euro Projects and Built Engineering there were a number of classic cars that were bought for Mr Dubois?---Correct.

30

And do you recall, was there some particular standard way about going about the purchase of cars? That is he would identify things and then ask you to do things or did it vary from car to car?---I, I, I don't, I don't think that it was, had something to do with it, I think he was just, he would, he would buy something and, and then I would just make a cheque out to that dealership and he would keep paying it off until, you know, it's paid off or, yeah, along those lines.

Would you sometimes accompany him to go and look at the cars or to buy the cars?---I may have gone maybe, maybe once or twice or something like that. Not very often, no.

And when you say go, is that to a dealership?---Yes.

40

And was the dealership that you recall going to Dutton's in Melbourne?---I have been there maybe about, I don't know, three times or something like that.

But always in relation to cars that Mr Dubois had either bought or was looking at buying?---Correct. Or, or, or just to go there because it was a cool place. Like, they - - -

With nice cars - - -?---Awesome showroom, like, three levels and just

architecture. I was mainly there for the architecture, believe it or not, all the building and stuff.

But on each occasion you visited, was it with Mr Dubois?---I did go there once without him, yes.

Once without him?---Yes.

10 But when you went there with him, was it with a view to handing over a cheque or to look at cars? Like, what was the purpose of the visit?---I think it's either if I was in the area or I, I was in Melbourne. I've got a lot of friends and stuff in Melbourne. So sometimes if I was in Melbourne or if I was working close to Melbourne, I would go to Melbourne and then Mr Dubois will just go there anyway because he was always there and then I would meet up with him there and just have a look around for a day or so, or something like that.

20 And when it came to buying the cars, whether through Euro Projects or Built Engineering, were they paid for via cheque?---Cheques, yes.

So would Mr Dubois tell you the price and tell you who to make it out to? ---Mr Dubois will know what, how much kickbacks he had and he will tell me to make a cheque out for him because he's going to Melbourne.

And he would then, you'd hand it to him and he'd go to the dealership? ---Correct.

30 Just on that front of him knowing how much was owed to him in kickbacks, did he from time to time speak to you about whatever the tally was, whatever his running tally was as far as what he was owed in kickbacks?---I think he, he had a, he had a keycard and he can find that out for himself.

Well, I'm going to suggest that he had keycards both on the Euro Projects account and then later the Built Engineering account.---Okay.

So do you recall that? That he was given - - -?---I really don't remember about Euro Projects at all, but I do know Built Engineering, yes.

40 So that he could, in effect, just go to the ATM or – well, go to the ATM and withdraw some money and see what the balance was.---I, I, I, I, from my recollection, he wanted it so he can make just day-to-day stuff, bits and pieces for him to get - - -

And I'll take you to that, but I'm going to suggest he did use the card, both with Euro Projects and Built Engineering, to get out cash and to pay for things.---Yes.

But you would have understood, I take it, that he would see the balance each time he used the card.---Correct.

And would he raise with you from time to time, say, “Look, there’s \$300,000 in the account. I need a cheque for 250 for this car”?---Correct.

And you would then draw the cheque for him?--- Yes.

Did you ever pay cash for any of the cars?---No.

10

So you don’t recall ever taking either a box or a bag of cash to a dealership?---I, I went, I went once ever to Dutton’s on my own. That’s when I told you, you asked me, to take cash over. That was not my cash.

Whose was it?---I was handed it over by Mr Dubois.

Do you know whose it was, did he tell you?---I’ve got no idea.

20

He didn’t tell you?---He didn’t tell me. He just told me that he needed, originally he was going to go there or somebody was going to go there or something like that, and that wasn’t happening, and he had – I think he had a little bit on. I, I can’t really, really remember why, why I ended up going, because I think he was sick or busy or something, and he really needed to make a payment. So I, I, I, I drove to Dutton’s and, yeah, gave them the money.

So literally drove to Dutton’s in Melbourne - - -?---Yes.

30

- - - with the cash?---I did, yes.

Given that you had a preference not to be paying in cash - - -?---That wasn’t my money.

- - - I take it you weren’t thrilled about being asked to go and pay in cash? ---That wasn’t my money.

I realise.---Yeah.

40

But still, it was you delivering a sum of cash.---He wanted, he, he wanted me to go there and give them the money, so I went there and I gave them the money.

Do you recall how much it was?---I think it was maybe one or two hundred thousand or something like that.

And did you get some receipt for the payment on the car?---No. No, I just - - -

Do you know what car it was for?---No.

Was it a car where you were providing a cheque for part of the purchase price?---I've got no idea.

So you were, in effect, being sent as his messenger to just deliver someone else's cash?---Correct.

10 THE COMMISSIONER: When you went there to Dutton's, did you see them creating some record about the transaction?---No, Commissioner. By the time I got there, it was, it was pretty late, so, it was about 10.30 at night I, I got there.

So you knew who to – I see. You knew who to ask for.---They were waiting for me, Commissioner.

I see. You just simply handed over the money?---Yes, and I took off.

20 Sorry, was it in a bag or a box or - - -?---I really can't remember, Commissioner.

MR DOWNING: Dealing with the cars that, through either Euro Projects or Built Engineering, you did provide the cheques for, so you would give the cheque to Mr Dubois and he would then go to the dealership?---Correct.

There were times, weren't there, when there were private owners that he was buying from?---Possibly.

30 Did you have any knowledge, either from going to the dealership yourself or from what Mr Dubois told you, as to whose name these cars were being put into?---I, I believe that the cars he was buying from Dutton's weren't being registered or anything like that. They were just sitting there.

Well, even if they weren't registered, though, there would have to be at least an invoice given to reflect, a tax invoice and a receipt to reflect who was paying for it.---He did, he did tell me that there was a couple that were in my name.

40 That is you personally?---Yes. Receipts, sorry, that were in my name, and that if anything was to happen to him, that I would give them to his family.

That those cars should be given to his family?---Correct.

Did you understand that some were registered in company names, whether it was Euro Projects or Built Engineering? Sorry, when I say registered, sorry, you say that they weren't registered at all - - -?---No.

- - - because they weren't on the road.---Yes.

But did you understand that they were being bought in the sense of the paperwork, the tax invoice and the receipt was in the name of either Euro Projects or Built Engineering?---I don't know if anything was registered in Euro Projects.

Or Built Engineering?---Or Built Engineering.

10 Did you understand that he obtained a motor dealer's licence himself at one point?---Later on down the track, yes.

And do you understand that was in a company name, Grendizer?---Yes, that rings a bell, yes.

And did you ever understand that the cheques – sorry, I withdraw that – the cars were being bought in that company's name?---It was always, he was always passionate about starting his own dealership and stuff like that, so it's just, yeah.

20 Passionate about starting his dealership, but did he ever tell you that he was organising for – once you'd given him the cheque, that the car was going to be - - -?---Possibly, yes.

The paperwork would be in the name of Grendizer?---Yes, just, yeah.

30 Now, going to Euro Projects just for the moment, can I take you just to some of the slides that were shown in the opening. I'm not sure if you have seen these previously, but if we could start at slide 13. And these are just a summary of other records that are available otherwise, mainly bank records, but do you see that according to the slide, the payments made from CBF Projects into Euro Projects came to a total of \$1,458,109.66?---Yes.

And that covers a number of years of CBF Projects doing work. Correct? ---Yes.

So that I've already suggested to you that it did work from mid-2012 right through until mid-2019.---Yes.

40 And if we could go, please, to slide 14, you'll see that then from Euro Projects, and there's a reference there to the ANZ account number, 1-1-8-5 being the last four digits, under Euro Projects.---Say that again, Counsel?

See going down through, you'll see in the sort of khaki-coloured box with Euro Project?---Yes, I see.

And it shows that it's an ANZ account with the numbers 1-1-8-5.---Yes.

And the records show that that account was active, I'm going to suggest, between 15 April, 2013 and 6 July, 2015.---Yes.

And I'm going to suggest that during that time there were moneys taken out of it in this way, that there were cash withdrawals using two cards, 9-0-4-5 and 5-0-4-0, of \$177,042.---Yes.

10 Now, did you have a card on that account yourself or do you know if Mr Chahine did?---I, I, I think, I think I had, I had a card as well on that account, yes.

But you recall, don't you, that Mr Dubois would use that account to withdraw money from time to time?---I believe so, yes. I can't remember, but yeah.

And I'm going to suggest that over those couple of years, that he withdrew significant sums to the sum of, in the end, \$177,042.---Yes.

20 Over that period, that was certainly a time, wasn't it, when CBF was receiving fairly significant work?---Correct.

And as a result, Mr Dubois was demanding fairly significant kickbacks. ---Correct.

I'm also going to suggest that he used the cards to make purchases himself, that is to buy things for himself.---Yes.

30 And you'll see that the sum suggested, according to the records, is \$28,261.43.---Yes.

And it's the case, isn't it, that Euro Projects did buy one car for him?---Yes.

And just in that regard, you'll see that there's a record there of a payment to J & J Johnson for a Porsche 997.---Yeah, I see it.

And can I take you to slide 57 and tell me if you can recognise that this is the car.---Yes.

40 And do you recall that this was a car that was actually purchased twice for him?---Yes.

Once from J&J Johnston, and that was the initial time, I'm going to suggest, by Euro Projects.---Yes.

And then he got rid of it.---Yes.

And then it was purchased a second time, but for a vastly greater sum. That is, the first time it was \$353,028, I'm going to suggest, and the second time was \$735,000.---Yes.

10 And do you recall him coming to you and asking about the purchase of that car during the time that Euro Projects was being used to funnel - - -?---I think, I think at that, I think when he bought it the second time, I think he was already, if I remember right, he was selling cars and bits and pieces to make up for that, for that car, but Built Engineering must have put money then.

But think about the first time it was purchased.---The first time it was purchased, it was purchased with Euro Projects, yes.

And that wasn't through Dutton's, I'm going to suggest that was through J&J Johnston.---I don't recall who J&J Johnson is.

20 I'm sorry, Johnston. But did you have some involvement with him at the time he bought it?---J&J Johnston, no, I don't, I don't, I don't recall who that is.

Do you recall did you go with him to look at the car or did you simply write him a cheque in order for it to happen?---I, I think, I remember going with him to a Gaziani [sic], I think that might have been the second time it was bought, is it?

Is that Graziani?---Yeah.

30 I think it's Scuderia Graziani, a dealership in Sydney.---That's correct, correct.

Right.---Is that the first time or second time?

I think, I'll have to have that confirmed, I think it was the second time, the first time was a private purchase.---The second time was the time I went with him, not the first time.

40 But do you recall him coming to you and telling you in the Euro Projects days that he needed a cheque in order to buy it?---Yes.

And that was a car that was kept in Sydney, wasn't it?---Yes.

Was that actually registered, to your knowledge?---No, I don't know. Yeah, that car there was registered I think, yeah, I think. Or it wasn't. Can't remember.

Do you recall that he kept it though in a garage for his own use?---Of course, yes.

Did you see it from time to time?---Yeah, I think he, I think he might have even kept it at his premises for a little short period of time.

But it wasn't the car he used for day-to-day use, was it?---No, not, no.

What was he driving around?---Um, a, maybe a Camry or (not transcribable) I really can't remember, or Corolla or, he drives a (not transcribable)

10

Now, do you recall that separate to Euro Projects paying for that car, that CBF Projects actually made a direct payment for the purchase of another Porsche car? So not through money that CBF paid into Euro Projects and Euro Projects paid on, but CBF made a direct payment?---No. Where's the records to where the payment went to?

20

Well, can I take you back, please, to slide 14? And do you see that, where the cursor is now, CBF Projects has records showing a \$76,360 payment to Dutton's for a Porsche 993 RS?---Counsel, that \$73,360 [sic] that you're referring to that came out of CBF Project to Dutton Garage for a Porsche 993 RS, wouldn't have probably come out as an intention that that 76,000 was for the Porsche. It was probably just sent to Dutton's and he done whatever he wanted there, allocating money to a car or several cars or whatever he wanted. So - - -

30

It's the case, isn't it, that from time to time Mr Dubois would, as you understood, it be selling cars with Dutton's so that he would get a credit? ---Yeah, sometimes he would have a pool there, yes, my understanding, and he will buy other stuff or, yeah.

40

So did he sometimes ask you for a cheque in a particular sum, not directed to a specific car that he wanted, but simply to help make up the purchase price of something that he was looking at?---It was mainly, it was, it was, it was always just to Dutton Garage and really not all the times we knew what it was for or anything. It was - - -

So he would just specify the sum?---He would just know the sum that he's owed and I would just make a cheque with that sum that he's owed and give it to him. Sometimes I, on some instances, I've actually put it in Dutton's. I think that's how it used to start even. I put it - - -

What do you mean put it in Dutton's?---I would grab the cheque and put it straight into Dutton's bank account. I've done that maybe once or twice.

Do you mean by going to the dealership or going to a - - -?---No, not the dealership, just to a bank account.

To a bank and asking it to be deposited into their account?---I think maybe once.

So that it wasn't the case that each time he asked money that you knew that there was a particular car he was after?---Not all the time, no.

10 Would you learn from him, perhaps at later times, that that money had gone towards the purchase of a particular car?---He'd always talk about cars he's wanting to buy or he's buying or he's bought or something like that. But I can't really articulate a hundred per cent that that fund there went to that car or vice versa. I can't really tell you that.

And did you understand that sometimes, that perhaps he was putting in some cash that he was getting out of the various accounts himself towards the cost, and he would ask for cheques from you to make up the balance? ---All I know, all I know is what I was giving him.

20 If we could just go – and this may or may not assist – if we could go to the slides, page 62. And you'll see that this is the particular Porsche 993 RS that was bought for him. The purchase price \$549,210 and that there are, it seems, two cheques that were drawn, one from CBF Projects at 76,360 and one from Euro Civil & Maintenance of 255,500.---So you're telling me that 255,000 came out of Euro Civil and - - -

And 76,360 from CBF Projects. So both contractor companies.---To be honest with you, I think that was a mistake.

A mistake in terms of where the money was taken out of?---Correct, yes.

30 But it would have - - -?---But ultimately it was going to go there anyway.

But the intention would have been for it to come from those companies into either Euro Projects or Built Engineering and then pay for it?---Correct.

So that there would be that extra level to try and distance the contractor companies from a car for Mr Dubois.---Correct.

40 Now, if we could then move, just briefly - - -?---But also, Counsel, I don't, I don't know if that money was for that particular car. That's what I keep telling you.

So you couldn't tell. All you knew is - - -?---I've got no idea, yeah.

All you knew is he asked for a cheque.---He asked for a cheque and I gave it to Dutton's, and what he done with the money, he done with the money. So I, I really don't know what it went to or anything like that. Zero, yeah.

In effect he had a piggy bank with Dutton's and you contributed to the money in it from time to time.---Possibly, yes, that's, and he just bought and done what he wanted. So, it's, yeah, I can't really tell you.

Now, Built Engineering operated for a longer time, didn't it, in terms of it being used as, effectively, a slush fund for kickbacks?---Correct.

Euro Projects was only for a relatively brief period.---Correct.

10 Can you recall why that was, why the Built Engineering – sorry, withdraw that. Why Euro Projects really only operated from mid-2013 to mid-2015? ---Euro Projects was closed by the bank.

And was that because the bank came to you and raised some concern with the amount of cash?---About that 177,000 in cash that you were talking to.

Right. That had been taken out.---Had been taken out and they, they just closed the bank account and said that whatever funds are left will ultimately be given to you in the form of a cheque and we're closing the bank account.
20

But they contacted – was it you or Mr Chahine, can you recall?---I, I can't really remember who it was.

But whoever was contacted was told by the bank that they were concerned about the volume of cash being taken out.---The 170,000.

Cash withdrawals.---Cash withdrawals.

30 So you in effect then had to quickly empty the account of its funds?---I didn't empty the account. They sent me a cheque.

But they told you it was going to close within a certain period?---Yes, and they were going to mail out a cheque.

And was that then the reason for moving to - - -?---That was - - -

To setting up the Built Engineering?---That, that, that was always, that's, that was always my main reasons for not paying cash, because of that from the whole time, you know.
40

But having had that occur with, with Euro Projects – and I'm going to suggest the account ceases to be active on 6 July, 2015.---Okay.

Was there a desire then to replace that account, that is - - -?---Possibly, yeah. I, I've got a, I've got a - - -

Just wait for the question.---Oh, sorry.

You've been using Euro Projects and its bank account for a period of a couple of years to funnel payments to Mr Dubois.---Ah hmm, ah hmm, yes.

Now that account is no longer available because the bank is shutting it down.---They shut it down, yes.

Wasn't it then necessary to come up with a different company and a different bank account to use to funnel the payments?---Well, it was my burden. I've got to get rid of that money. I've got to give it to him.

10

Well, not only had to give it to him - - -?---Yeah.

- - - but given that you didn't want to be paying cash, wasn't there a need then for another company to be set up so that the payments could be made? ---You would think so, yeah.

And Built Engineering, consistent with what I have already suggested to you, was registered on 9 June, 2015, which is just around that time, just under a month before Euro Projects account ceases to be active.---Okay.

20

So do you think, piecing it together now, that you Euro - - -?---No, I, I, think - - -

Just wait for the question. That Built Engineering was set up because you knew you were going to have to get the money out and stop using Euro Projects?---No. It was, like, it happened like that. They closed the bank account, you couldn't use it, and they said they were just going to send out a cheque with the money. That's what I'm telling you, Built Engineering was opened before that for a specific reason but it was never used for that. It ended up being a vehicle for the kickbacks one Euro Projects was closed.

30

But you maintain that it was opened with a view to buying classic cars? ---Hundred per cent.

Commissioner, I'm about to go to Built Engineering, but I see the time.

THE COMMISSIONER: Yes, thank you. Mr Hadid, I need you to return tomorrow. If you could be here tomorrow for a 10 o'clock start in the morning.---Yes, yes, Commissioner.

40

I'll adjourn.

THE WITNESS STOOD DOWN

[4.01pm]

AT 4.01PM THE MATTER WAS ADJOURNED ACCORDINGLY

[4.01pm]