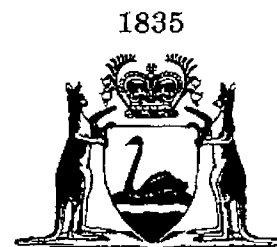




**WESTERN
AUSTRALIAN
GOVERNMENT**
Gazette



PERTH, FRIDAY, 12 MAY 1995 No. 60

SPECIAL

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Office of State Administration.

It is hereby notified for public information that the Lieutenant-Governor and deputy of the Governor has approved the issue of the following Commission:—

M. C. WAUCHOPE, Chief Executive.

Commission

appointing

THE HONOURABLE KENNETH HENRY MARKS QC

to be a Royal Commission

WESTERN AUSTRALIA David K. Malcolm, Lieutenant-Governor and deputy of the Governor.	}	By the Honourable David Kingsley Malcolm, Companion of the Order of Australia, Lieutenant- Governor and deputy of the Governor of the State of Western Australia.
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To: Kenneth Henry Marks QC:

By this commission under the Public Seal of the State issued with the advice and consent of the Executive Council, I, the Lieutenant-Governor and deputy of the Governor—

- (1) Appoint you to be a Royal Commission to inquire and report on whether the circumstances and events preceding and following the presentation of a petition to the Legislative Council of the Parliament of Western Australia on 5 November 1992 by the Honourable John Halden MLC on behalf of Brian Mahon Easton involved conduct that was an improper or inappropriate use of executive power or public office or was motivated by improper or inappropriate considerations, and for that purpose to:
 - (a) Identify all persons who were at the relevant time—
 - Ministers of the Crown;
 - members of Parliament;
 - staff of such Ministers or members acting on or purporting to act on behalf of or on the instructions of such Ministers or members; or
 - holders of public office,
 and who—
 - (i) were directly or indirectly involved in those circumstances or events, whether in connection with the preparation of the petition or its presentation or the timing of its presentation or in any other manner; or
 - (ii) knew of or considered the petition or any of its contents or proposed contents prior to its presentation to the Legislative Council;
 - (b) Determine the nature and extent of such involvement, knowledge or consideration and the circumstances in which such knowledge was obtained or such consideration took place;
 - (c) Determine the motivation for the conduct of those persons in the course of such involvement; and
 - (d) Determine whether and if so when and to what extent such persons communicated information in respect of the petition or of its contents or proposed contents to members of the news media;
- (2) Declare that, should you be unable to obtain information relevant to your inquiry because of the operation of Article 9 of the Bill of Rights 1689 (UK), you are required to present an interim report outlining the nature of the information sought to be obtained, the circumstances in which you have been unable to obtain that information, and the reason why obtaining that information would or might assist you in completing your inquiry and report;

- (3) Declare that you are to report within 5 months of the issue of this commission and that you may publish interim reports; and
- (4) Declare that, by virtue of this commission, you may in the execution of this commission do all the acts, matters and things and exercise all the powers that a Royal Commission may lawfully do and exercise, whether under the Royal Commissions Act 1968 or otherwise.

GIVEN under my hand and the Public Seal of the State at Perth on 9 May 1995.

By the Command of the Lieutenant-Governor and deputy of the Governor,

RICHARD COURT, Premier.

GOD SAVE THE QUEEN !

