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Rani John/Mark Elvy  
 Ashurst

**Your reference**

**Our reference**

DZT/DZT/433107/1  
 AUM/1224260735.1

26 July 2021

**By Email : Rani.John@ashurst.com,  
 Mark.Elvy@ashurst.com**

Dear Ms John and Mr Elvy

## **ROYAL COMMISSION INTO THE CASINO OPERATOR AND LICENCE**

We represent the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) in the Royal Commission into the Casino Operator and Licence (**RCCOL**).

We are instructed that:

- on 16 April 2021 the Independent Liquor and Gaming Authority of NSW (**ILGA**) issued the **attached** press release referring to undertakings it had agreed with your client, Consolidated Press Holdings Pty Ltd (**CPH**);
- on 8 July 2021, the VCGLR wrote to your client seeking a full list of all undertakings CPH had agreed with ILGA, together with details or a copy of the final form of the undertakings. A copy of the VCGLR's letter is **attached**; and
- the VCGLR sought a reply to its letter by 12 July 2021 but is yet to receive any response from CPH.

As you would be aware, Counsel Assisting the RCCOL have referred to the existence of CPH's undertakings to ILGA in their written closing submissions. The VCGLR considers that the form and content of CPH's undertakings to ILGA are likely to be relevant to the submissions it makes to the RCCOL.

In these circumstances, we are instructed to seek a copy of the undertakings that CPH has agreed with ILGA. Please provide us with your client's response to this request by **4.00pm** on **28 July 2021** so that our client may consider them before filing its written submissions to the RCCOL.

The VCGLR reserves the right to refer to this correspondence and its letter dated 12 July 2021 in its written submissions.

We look forward to hearing from you.

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A list of offices and regulatory information can be found at [www.dlapiper.com](http://www.dlapiper.com)



Yours faithfully

A handwritten signature in black ink, appearing to read 'Jwf'.

**JOHN FOGARTY**  
**Partner**  
**DLA PIPER AUSTRALIA**  
Direct +61392745080  
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Enc



Friday 16 April 2021

### **ILGA STATEMENT ON AGREEMENT WITH CPH**

The NSW Independent Liquor & Gaming Authority has reached agreement with James Packer's Consolidated Press Holdings (CPH) on a number of undertakings regarding Crown Resorts and its associates.

The agreement was reached following discussions between the regulator and CPH about the Bergin Report which raised significant concerns over the influence of CPH and Mr Packer, as the dominant shareholder of Crown, on the management and operation of Crown's Barangaroo casino.

Some of the key proposed undertakings by CPH include:

- not entering into any information sharing arrangements with Crown
- not initiating any discussions with Crown, other than through public forums, about Crown's businesses or operations
- not seeking to have its executive or nominee appointed to Crown's board, or requisition a meeting of Crown shareholders to seek the appointment of any person as a director of Crown, before October 2024
- not seeking any amendment to the Crown constitution which would affect the management or operation of Crown's businesses.

It is expected that the final form of the agreed undertakings will be recorded in an enforceable legal document between CPH and the Authority.

No further comment will be made on the agreement at this time.

ENDS

8 July 2021

Our ref: CD/21/8480

Mr Guy Jalland  
Director, Consolidated Press Holdings Pty Ltd  
Liberty Place, Level 39  
161 Castlereagh Street  
SYDNEY NSW 2000

### **Undertaking between NSW ILGA and Consolidated Press Holdings Pty Ltd (CPH)**

I refer to the news release statement of the Independent Liquor and Gaming Authority of NSW (ILGA) dated 16 April 2021 (**attached**). In that statement, ILGA indicates that it has reached agreement with CPH on a number of undertakings regarding Crown Resorts and its associates and summarises some of the key proposed undertakings by CPH.

As you would be aware, under the *Casino Control Act 1991*, CPH is an associate of the Melbourne Casino operator, Crown Melbourne Ltd.

The VCGLR requests that CPH provide it with full details regarding the above matter, including all full list of all proposed undertakings agreed to between CPH and ILGA, as well as details (or a copy) of the final form of the agreed undertakings referred to in the news release (i.e. the "enforceable legal document").

It is requested CPH provide the above information to the VCGLR by **Monday 12 July 2021**.

If you require the VCGLR to exercise its statutory powers pursuant to section 26 of the *Casino Control Act 1991*, or have any queries or questions, please contact Mr Scott May (General Counsel and Executive Director, Regulatory Policy and Legal Services) on (03) 8098 5657 or [scott.may@vcglr.vic.gov.au](mailto:scott.may@vcglr.vic.gov.au)

Yours sincerely,



**Ross Kennedy**  
Chair