



Our Ref: Joshua Preston  
 Direct Phone: [REDACTED]  
 Document No: LEGAL\_330419.1

16 February 2018

Victorian Commission for Gambling and Liquor Regulation  
 49 Elizabeth St  
 Richmond VIC 3121  
 GPO Box 1988  
**MELBOURNE VIC 3001**

**Attention:** Stephen Berriman

Dear Mr Berriman

**Notice issued under s26 of the *Casino Control Act* ('Act')**

We refer to the notice issued under the Act dated 2 February 2018 (Notice).

Crown has performed a range of searches to identify documents falling within the scope of the Notice. These searches have focused on areas and records of the business most likely to contain relevant documents (among other things, as Crown does not have the technological capability to keyword search across all current and historic records of the group).

Enclosed is a USB device containing documents that Crown has located which fall within the scope of the Notice. Most of the documents contained on the USB are confidential. In some cases, the information contained in those documents is commercially sensitive.

In relation to the categories of documents sought by the Notice, and the materials included on the enclosed USB, we note as follows:

**1. Category 1**

*The corporate structure for Crown Resort Pte Ltd (Hong Kong) including directors, shareholders, incorporation and company secretary*

- 1.1 Crown Resort Pte Ltd is a Singaporean incorporated company (**Crown Singapore**), which has a representative office in Hong Kong. It is not a Hong Kong company.
- 1.2 Enclosed is a company search in respect of Crown Singapore as at 6 November 2015, which also reflects the position at the time of detention (the details of Crown Singapore did not change until Rowen Craigie resigned as an officer with effect on 31 July 2017). This search

records the directors and secretary of Crown Singapore, and details regarding its incorporation.

- 1.3 Also enclosed are the following documents that do not specifically fall within category 1, but may be of assistance to you:
- (a) certificate of Incorporation of Crown Singapore;
  - (b) memorandum and articles of Crown Singapore; and
  - (c) the certificate of business registration in respect of Crown Singapore's representative office in Hong Kong for the period 16 September 2016 to 15 September 2017. (This registration is renewed annually).

## 2. Category 2

*Any documents received, or prepared by, Crown Resort Pte Ltd (Hong Kong) or its staff pertaining to risk assessment of operating in mainland China*

- 2.1 Crown has been unable to locate any documents falling within this category that have not already been produced to the VCGLR.

## 3. Category 3

*Any documents (including minutes and agendas) pertinent to the assessment of the risk identified in the Crown Melbourne Limited F16-F18 Internal Audit Plan of (19) Foreign Political Policy (in relation to Crowns operation in mainland China), the assessment that they would be treated with other strategies and also the documented strategies to manage the risk*

- 3.1 Crown has been unable to locate any documents falling within this category.
- 3.2 For the sake of completeness, following discussions with former employees of Crown who were involved in the audit function at the relevant time, we understand that the position in relation to risk (19) was that:
- (a) the possibility of a material change in foreign political policy was identified as a potential risk that would warrant consideration in the course of an audit;
  - (b) if Crown had perceived there to be a material change in foreign political policy that might impact the business, strategies would be developed to mitigate or respond to the particular risk that had arisen; and
  - (c) no material risk was identified, so there was accordingly no need to put strategies in place.

4. **Category 4**

*Any documents (including minutes and agendas) pertinent to the assessment of the risk identified in the Crown Melbourne Limited F17-F19 Internal Audit Plan of (19) Foreign Political Policy (in relation to Crowns operation in mainland China), the assessment that they would be treated with other strategies and also the documented strategies to manage the risk*

4.1 Crown has been unable to locate any documents falling within this category.

5. **Category 5**

*Documents provided by Mintz Group to Crown Melbourne Limited and/or Crown Resorts Limited and/or Crown Resort Pte Ltd (Hong Kong) in relation to Project Wager, Project Wager II, Project Wager III, and project Wager IV*

5.1 Crown has been unable to locate any documents falling within this category that have not already been produced to the VCGLR.

6. **Category 6**

*Michael CHEN's employment details/position description, employment contracts and performance reviews / performance development plans*

6.1 We enclose the following documents pursuant to category 6:

- (a) Michael Chen's position description; and
- (b) Michael Chen's contract of employment dated 16 January 2012.

6.2 We are undertaking further searches to locate additional materials falling within category 6, and will provide you with any further documents that are located as soon as possible (or confirm if the searches that are currently underway do not yield further documents).

7. **Category 7**

*Any documents or materials received by Crown Melbourne Limited and/or Crown Resorts Limited and/or Crown Resort Pte Ltd (Hong Kong) and/or their employees from the Peoples republic of China regarding Crowns activities on mainland China*

7.1 We assume that this category requires the production of communications concerning activities conducted by Crown staff within China. Crown has been unable to locate any document that meets the description of this request.

7.2 For the sake of completeness, we note that:

- (a) Crown engaged a Chinese company, Universal Aviation, to liaise with Chinese aviation authorities to obtain the permits and permissions required for the Crown jet to be flown in and out of mainland China from time to time. It did not deal directly with any Chinese aviation authority; and

- (b) Crown has in its possession copies of the passports of some current or former Crown employees who entered or exited China from time to time, and visas to permit such travel.

#### 8. Category 8

*Any other records which contain information regarding any identification, assessment or treatment of risks conducted by Crown Melbourne Limited and/or Crown Resorts Limited and/or Crown Resort Pte Ltd (Hong Kong) regarding operations within mainland China from 1 January 2015 to the present, excepting any records or documents which have already been provided to the Commission*

- 8.1 We have been unable to locate any documents that contain information about Crown Resorts, Crown Melbourne or Crown Singapore's identification of risks attaching to the operations being conducted by their employees in China, save for:
  - (a) documents that have previously been provided to the VCGLR; and
  - (b) documents that record legal advice that is subject to legal professional privilege, which Crown does not intend to waive.
- 8.2 As you are aware, Crown pulled all employees out of mainland China upon learning of the detentions, and does not intend to permit employees to travel to mainland China for business related to gaming in the future.

As noted above, this letter and most of the enclosed documents contain information that is confidential, and in some respects commercially sensitive. It is provided to the VCGLR pursuant to s 26 of the Act, on the basis it will be treated as such, and will not be voluntarily disclosed to any third party.

#### **Addition materials**

For the sake of completeness, we otherwise note that Crown is in the process of restoring a number of back up tapes, which may contain materials that are required to be discovered in the Class Action that has been commenced against Crown in connection with the China detentions. The technological aspect of this restoration process will take considerable period of time (months).

It is possible that, in the course of reviewing further materials (as back up tapes are restored), Crown may identify further documents that fall within the scope of the Notice (and/or earlier notices issued by the VCGLR under s 26 of the Act). If this is the case, we will let the VCGLR know, and can supply a copy of the identified documents.

Yours sincerely

  
 Joshua Preston  
 Chief Legal Officer – Australian Resorts