

Reference: A5340172

Mr Gordon Galt  
Chairman  
NuCoal Resources Ltd  
PO Box 307  
TORONTO NSW 2283

Dear Mr Galt

Thank you for your correspondence of 11 March 2022.

As you are aware, the NSW Government has stated that it continues to reserve its position on the outstanding matters raised in the report of the Legislative Council Standing Committee on Law and Justice entitled *Mining Amendment (Compensation for Cancellation of Exploration Licence) Bill 2019* (Report 72, 30 October 2019).

I understand that the Attorney General, the Hon Mark Speakman SC MP, has recently written to the Company Secretary of NuCoal Resources Ltd, Mrs Megan Etccl, in relation to this matter.

In your letter, you also raised a query about a statement made in correspondence to [REDACTED] that it would be inappropriate to comment whilst criminal proceedings arising out of the Independent Commission Against Corruption's investigation in Operation Acacia are ongoing.

This is a reference to the *sub judice* convention of avoiding public discussions which could prejudice court proceedings. Failure to observe this convention in relation to pending criminal proceedings risks prejudicing the fair trial of an accused and opens up the possibility that the accused may seek a stay of the criminal prosecution.

Yours sincerely



**Kate Boyd**  
Deputy Secretary, General Counsel

20 May 2022