



ENTERED ON RECORD by me in Register of Patents No. 41, Page 1, on 6 February 2006

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

TO the Honourable Terence Rhoderic Hudson Cole AO RFD QC

WHEREAS it is desired to amend the Letters Patent issued to you in relation to certain matters relating to decisions or actions of Australian companies mentioned in the Final Report ("Manipulation of the Oil-for-Food Programme by the Iraqi Regime") of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme:

BY these Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on the advice of the Federal Executive Council and pursuant to the Constitution of the Commonwealth of Australia, the *Royal Commissions Act 1902* and other enabling powers, We amend the Letters Patent, dated 10 November 2005, appointing you to be a Commissioner to inquire into those certain matters:

(a) by adding after paragraph (a) of the fourth paragraph of the Letters Patent the paragraph:

(aa) whether any decision, action, conduct, payment or writing of:

- (i) BHP Limited (now BHP Billiton Limited), BHP Billiton Petroleum Pty Limited or BHP Petroleum Limited; or
- (ii) Tigris Petroleum Corporation Pty Limited or Tigris Corporation Ltd; or
- (iii) any person associated with one of the companies mentioned in subparagraph (i) or (ii);

in relation to:

- (iv) the shipment of approximately 20,000 tonnes of Australian wheat to the Grain Board of Iraq in December 1995–January 1996 (*the 1996 shipment*); or
- (v) the procurement of any United Nations approval and permission to export under the *Customs (Prohibited Exports) Regulations 1958* in respect of the 1996 shipment; or
- (vi) any agreements or arrangements made in relation to payment for the 1996 shipment; or

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- (vii) agreements by AWB Limited to sell 1 million tonnes of Australian wheat to the Grain Board of Iraq in December 2002, including any renegotiations of those agreements (*the 2002 contracts*); or
- (viii) the procurement of any United Nations approval and permission to export under the *Customs (Prohibited Exports) Regulations 1958* in respect of the 2002 contracts;

might have constituted a breach of any law of the Commonwealth, a State or a Territory; and'; and

- (b) by omitting from paragraph (b) of the fourth paragraph of the Letters Patent the words:

'if so, whether the question of criminal or other legal proceedings'

and substituting the words:

'if the answer to either of paragraph (a) or (aa) is in the affirmative — whether the question of criminal or other legal proceedings'.

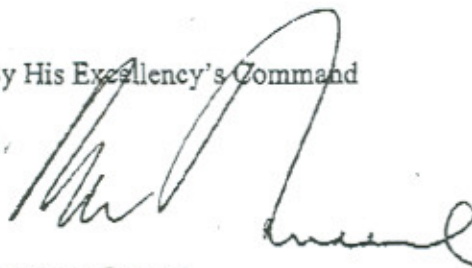
WITNESS His Excellency Major General Philip Michael Jeffery, Companion of the Order of Australia, Commander of the Royal Victorian Order, Military Cross, Governor-General of the Commonwealth of Australia.

Dated 6 February 2006



Governor-General

By His Excellency's Command



Attorney-General  
for the Prime Minister