

ROYAL COMMISSION OF INQUIRY INTO PROCESSES AND PROCEDURES FOLLOWED BY THE
GOVERNMENT OF PAPUA NEW GUINEA INTO OBTAINING THE OFF-SHORE LOAN FROM THE
UNION BANK OF SWITZERLAND AND RELATED TRANSACTIONS

Document Production Protocol

Last updated 14 June 2021

1. Introduction

- 1.1 This Protocol explains the technical format required when producing large volumes of documents to the Royal Commission of Inquiry into processes and procedures followed by the Government of Papua New Guinea into obtaining the off-shore loan from the Union Bank of Switzerland and related transactions (**Commission of Inquiry**).
- 1.2 The Protocol should be read together with the Commission of Inquiry's **Document Production Guideline**, which outlines general matters related to the production of documents.
- 1.3 Production of documents in accordance with this Protocol will ensure that the Commission of Inquiry can properly review, manage, store and archive documents produced to it. Producing documents pursuant to this Protocol will minimise document management and technology costs and to ensure that document collection, review, management, and storage can occur efficiently and effectively.
- 1.4 Please note that the Commission of Inquiry may update or replace this Protocol at any time.

2. General Requirements

2.1 Documents should be produced using the following technical specifications:

- (a) Each document should be allocated a Document ID in accordance with Section 3 of this Protocol.
- (b) Hosts and Attachments should be produced in full, in accordance with Section 4 of this Protocol.
- (c) Hard copy documents will be processed in accordance with Section 5 of this Protocol.
- (d) Electronic documents will be processed in accordance with Section 6 of this Protocol.
- (e) Electronic documents will be automatically de-duplicated in accordance with Section 7 of this Protocol.
- (f) Claims for privilege and subsequent redaction of documents will be managed in accordance with Section 8 of this Protocol.
- (g) A List of Documents will accompany each production, in accordance with Section 9 of this Protocol.
- (h) A processed data load-file will be used to produce the documents in accordance with the specification at Annexure 1 of the Protocol.

3. Identifying documents

- 3.1 Every page of every document should be electronically numbered in the top right hand corner with a unique identifier, in the format PPP.BBBB.FFFF.DDDD_ *nnnn* where:
 - (a) PPP is a 3 letter Party Code used to identify the producing party;
 - (b) BBBB is a four-digit number with leading 0s;
 - (c) FFFF is a four-digit folder number with leading 0s;
 - (d) DDDD is a four-digit page number with leading 0s. Page numbers should be sequential unless; and
 - (e) *_nnnn* is a supplementary sequential page number suffix attributed to each page. *_nnnn* is optional. *_nnnn* may also be used if a party wishes to produce additional pages to a document.

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- 3.2 The identifier on the first page of the document becomes its Document ID.
- 3.3 No two documents should have the same Document ID.
- 3.4 Host and attachment documents should be identified with consecutive Document IDs.
- 3.5 The Commission of Inquiry will refer to Document IDs when identifying or referencing documents in its correspondence.
- 3.6 In order to avoid reprocessing documents, a producing party is required to notify the Commission of Inquiry of the Party Code it intends to use, prior to processing documents.
- 3.7 The Commission of Inquiry may require a producing party to re-produce documents with a new Party Code if that party has not notified the Commission of Inquiry of its intended Party Code.
- 3.8 The filename of each processed document must be named in accordance with its corresponding Document ID and should not include *_____*. For instance, when producing a PDF document, the filename should be **ABC.5000.0001.0001.pdf**

4. Document Hosts and Attachments

- 4.1 A document that is attached to, or embedded within, another document, is an attachment.
- 4.2 For hard copy documents, a document should be recorded as a host document where it is clearly ascertainable from the face of the document that one or more of the documents immediately following it is an attachment to it (i.e. the host document contains the words 'attached', 'following', 'enclosed', or their derivatives).
- 4.3 For electronic documents, host and attachment relationships are to be determined at a file level during document processing. Manual host & attachment relationships should not be created for electronic documents.
- 4.4 When producing documents to the Commission of Inquiry, please provide both the host document and all attachments. For instance, an email that contains an attachment must be produced with both the email and the attachment.
- 4.5 Host documents and their attachments must be identified with consecutive Document IDs.
- 4.6 Email footers, logos and other embedded content may appear as attachments in electronic documents. Please take all reasonable steps to ensure that such content is not separated as attachments.
- 4.7 Please avoid creating false or unnecessary relationships between hosts and attachments when producing documents to the Commission of Inquiry, by removing documents from their physical or digital containers (unless the identification of the container as a host document is necessary to understand the documents within that container).

5. Production of digitised hard copy documents

- 5.1 Hard copy documents should be digitised for production to the Commission of Inquiry in accordance with the following digitisation specification:
 - (a) Separate, text searchable, multi-page PDF for each document.
 - (b) Scanned to 300DPI black and white, unless colour is necessary to understand the meaning of the document or the meaning of any highlights, notes or other annotations on the document.
 - (c) Host and Attachment documents should be scanned to separate multi-page PDF, with a host reference itemised in the List of Documents and corresponding data load file.
 - (d) Electronically paginated in the top right corner with the Document ID.

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- 5.2 Once digitised, producible data about each document, which is specified in the List of Documents at Section 9 of this Protocol and the data load file specifications at Annexure 1 to this Protocol, should be manually derived from the face of each document.

6. Processing of electronic documents

- 6.1 Electronic documents should be automatically processed for production to the Commission of Inquiry in a manner that preserves the producible metadata about each document, which is specified in the data load file specifications at Annexure 1 to this Protocol.
- 6.2 System and executable files which do not contain user-generated content can be excluded from document sets at processing. Parties are only to use a standardised NIST filter to remove system files.
- 6.3 Please take all reasonable steps to ensure that document metadata is not modified or corrupted during document collection, review, and production.
- 6.4 The Commission of Inquiry accepts that complete document metadata may not be available for all electronic documents. Where metadata is incomplete, please provide as much metadata as possible.
- 6.5 Document metadata should be automatically extracted using GMT+11:00 (Papua New Guinea Time).
- 6.6 Wherever possible, processed electronic documents should be converted to separate, text searchable, multi-page PDF for each document which is electronically paginated in the top right corner with the Document ID.
- 6.7 The Commission of Inquiry may request information about the software and procedure used to automatically identify any metadata of any electronic documents produced.
- 6.8 Please identify any analytics tools used to exclude documents from manual review or from production in a covering letter with the production of documents. Analytics tools may include but is not limited to predictive coding / Technology Assisted Review, email threading or near-duplicate culling.

7. Automatic de-duplication of electronic documents

- 7.1 Please take all reasonable steps to ensure that duplicate documents are automatically removed (de-duplicated) from electronic documents produced to the Commission of Inquiry.
- 7.2 De-duplication should be carried out using an MD5 algorithm.
- 7.3 Attachments should not be treated as duplicates if they appears elsewhere in a set of documents as a standalone document, or as an attachment to a different group of documents with a different host.
- 7.4 An entire group of documents should be used as the basis for determining duplication. A group of documents comprising of a host and attachments should only be considered to be a duplicate if that group of documents appears as a duplicate group elsewhere in the production.

8. Claims for Privilege and document redaction

- 8.1 The producing party should electronically redact information on a document for which it seeks to claim legal professional privilege, public interest immunity, or parliamentary privilege.
- 8.2 The basis of the claim should be recorded in the List of Documents (Section 9 of the Protocol) and corresponding data load file (Annexure 1 to this Protocol).
- 8.3 The redacted image of the document should be produced in accordance with Annexure to this Protocol.

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- 8.4 Only apply redactions to parts of documents which privilege is claimed.
- 8.5 Do not redact documents on the basis of relevance or confidentiality.
- 8.6 Images of documents which a producing party assert are wholly privileged should be produced as a single page PDF placeholder, however the document should still be itemised and clearly identified in the list of documents and corresponding data load file.

9. Format of the list of documents to accompany each production

- 9.1 The producing party is to include the following fields in an electronic Index of Documents (Microsoft Excel format) which accompanies the production of documents:
 - (a) Document ID.
 - (b) Host Reference.
 - (c) Document Type.
 - (d) Document Date.
 - (e) Document Title.
 - (f) From.
 - (g) To.
 - (h) Notice to Produce Identifier.
 - (i) Notice to Produce Category (if applicable).
 - (j) Privilege (Whole / Part / No).
 - (k) Basis for Privilege.
 - (l) Redacted (Yes / No).
- 9.2 Entries in this Index can be derived from the metadata of electronically processed documents and manually created for digitised hard copy documents.

10. Updates to Produced documents

- 10.1 If there are any errors in the initial images or data exchange provided to the Commission of Inquiry, the party making the correction should reissue the entire document (if it is an error with the document) and load file and index of documents, if any records are affected.
- 10.2 An index of the changes that have been made should be prepared and delivered with the update.
- 10.3 All amendments and supplementary data or images should be exchanged in the same format (unless otherwise agreed).

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Annexure 1 – Technical specification of load file to accompany production

1. Format of electronic data to be produced

- 1.1 Electronic documents are to be produced in Microsoft Access export format. The export .mdb contains 4 tables that make up the export report. They are:
- (a) **Export table**, which contains the core field information for each document.
 - (b) **Export extras table**, which contains additional fields to the core fields for each document.
 - (c) **Parties table**, which contains people and organisation information for each document.
 - (d) **Pages table**, which references the images of the produced documents.
- 1.2 An Index of documents should also be provided in Microsoft Excel format in accordance with Section 9 of the Document Production Protocol.
- 1.3 Do not convert native electronic documents to paper for production to the Commission. They should be produced as searchable, multi-page PDF documents, stamped with sequential page numbers in the top right-hand corner of each page.
- 1.4 Where possible, documents should be converted to PDF for production, in accordance the specification in the Document Production Guideline and Document Production Protocol.
- 1.5 Non-standard documents (e.g. Microsoft Excel, video files, audio files) are to be produced in their native electronic document form, unless otherwise agreed with the Commission of Inquiry.
- 1.6 Placeholder PDFs should not be produced for non-standard electronic documents.

Export table

- 1.7 The export table contains the core fields. All other tables are linked to the export table by the Document_ID field. The format of the data in each of the tables is outlined below. Fields that cannot be left blank are marked with an asterisk.

Field Name	Date type and maximum length	Values
*Document_ID	Text and numbers, 19	The page number on the first page. See section 3
Host_reference	Text and numbers, 19	If this document is an attachment, the Document_ID of the host document is entered here. See Section 4 of the Document Production Protocol.
Document_date	Text, 11	Date of document as appears on the document in the format: DD-MMM-YYYY or blank for undated documents DD = Day, MMM = Month, YYYY = Year e.g. 09-Jan-2001 (Where the document is an email, the date used will be sent date metadata. Where the document is otherwise an electronic file, the last date metadata will be used unless it is obviously incorrect and the correct date can be otherwise discerned. Hardcopy

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		documents will otherwise comply with this section).
Estimated_Date	Yes/No	For all partially dated Documents, corrected dates and estimated dates, enter Estimated Date="Yes", otherwise mark this field as 'No' or blank.
Document_Type	Short Text	Electronic file type extracted during electronic proceedings. For example, "email", "email attachment", "Electronic file" Hard copy Documents in the form provided in Section 2 of this Annexure.
*Title	Text, 255	Hard copy Documents The title of hard copy Documents is to be determined from the face of the Document, to the extent that a title appears on the face of the Document otherwise this field will be blank. Electronic Documents The file name of the native electronic Document or subject field of an email. If metadata is not present in the native electronic Document this field may be left blank. If a file name does not adequately identify a native electronic Document other than an email, the file name may be discerned from the face of Document.

Export Extras table

- 1.8 The Export Extras table contains additional fields to those contained in the export table. It is linked to the export table via the Document_ID.

Field Name	Date type and maximum length	Values
*Document_ID	Text and numbers, 19	The page number on the first page. See section 3
*theCategory	Text, 4	One of the following options identifying the data type must be used: 'TEXT', 'DATE', or 'PICK'
*theLabel	Text, 255	The name of the field
*theValue	Text, 255	The actual data as a text string

- 1.9 The following table detail the *values* required in the Export Extras table. An entry should be made in this table for the following fields for each document where they contain data. There should be entries for all fields marked with an asterisk. Note there can be multiple entries for the 'Reason for Redaction' and 'Basis for Privilege' fields.

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The Label	The Value	The Category
*Privileged	This field identifies whether a claim of privilege is made over the document. Valid values are "Yes", "No", or "Part" (for partially privileged documents).	Pick
Basis for Privilege	This field identifies the basis of a claim of privilege. Valid values are "LPP", "PII" (for public interest immunity) or "Parliamentary Privilege"	Pick
*Confidential	This field identifies whether a claim of confidentiality is made over the document. Valid values are "Yes", "No", or "Part" (for partly confidential documents)	Pick
Redacted	This field identifies whether a document is produced with a redaction. Valid values are "Yes", "No" or blank	Pick
Reason for Redaction	This field identifies the reason a redaction has been applied to a document. Valid values are "Privilege"	Pick
Notice to Produce Identifier	This field identifies the Notice reference under which the document has been produced. Parties should use the reference provided in the Summons or Notice to Produce (NTP). Incorporate 4 digit padding for the Notice and 3 digit padding if a suffix is specified. For example, Notice Number: 85.1 would be NTP-0085.001	Pick
Notice to Produce Category	This fields identifies the relevant sections or parts of a Notice under which a document has been produced. Parties should use the Notice to Produce Identifier and then a reference to the relevant part or section, also padded as appropriate. For example, NTP-0085.001 - (01)	Pick
Password	The password of a file that could not be decrypted prior to production	Text

Parties table

1.10 The Parties table contains people and organisation information for:

- (i) to (addresses)
- (ii) from (authors)
- (iii) cc (copied to)
- (iv) bcc (blind copied to)
- (v) between (parties)
- (vi) attendees (present at meetings)

Note: if there are multiple parties for a single document, there will be multiple entries in this table for that document.

People or Organisations do not need to be used for electronic documents that are not emails. For emails, this information will be extracted from the 'to', 'from', 'CC' and 'BCC' metadata and be displayed in the metadata format. Hardcopy documents will otherwise comply with this section.

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Field Name	Date type and maximum length	Values
*Document_ID	Text and numbers, 19	The page number on the first page. See section 3
*Correspondence type	Text, 10	One of the following 5 options identifying the type of person must be used: 'From' – authors 'To' – for addresses 'CC' – for addresses the document was copied to 'BCC' – for addresses the document was blind copied to 'Between' – for parties to an agreement or other legal document (not correspondence) 'Attendees' – for persons/organisations who attended the meeting.
*People	Text, 255	The person to whom the document relates in the format Last name First initial only e.g. Smith P. If the person is identified by the title and not by name, the title should be entered in this field e.g. General Manager. If there is an organisation but no person, this field should be left blank.
*Organisations	Text, 255	The organisation to whom the document relates. The abbreviation for proprietary companies will be Pty Limited. If the organisation is unknown, this field should be left blank.

Pages table

1.11 The pages table is where image details are stored:

Field Name	Data Type	Field Size	Value
Document_ID	Text	255	See section 3
Image_file_name	Text	128	The file name of the image of each document. Files should be named in the format <i>Document_ID.file_extension</i>
Page_label	Text	32	For PDF – value should 'PDF'. For native electronic files, value should be 'Native'
Page_num	Number	Double	Value should be 1
Num_pages	Number	Long Integer	For PDF – the page count of each file For native files - 1

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1.12 Directory structure of images and data load file

Media	Format
Data file type and format	Microsoft Access .mdb file. Zip files are acceptable.
Directory structure and naming conventions	Image files should be multiple page PDF with 1 file per document. Native files should be 1 native file per document. The directory structure and filename for each image file should be in the format: PPP/BBBB/FFFF/DDDD/DocumentID.pdf OR PPP/BBBB/FFFF/DDDD/DocumentID.nativeextension

2. Document types – electronic and hard copy documents

2.1 Standard document types are outlined in the following table.

Document Type	Includes
Agenda	outline of meeting, business, seminar or conference events scheduled to take place
Agreement/Contract	all documents that have been entered into with two or more parties e.g. trust deeds, deeds of variation, mortgages, deed of covenant
Affidavit	witness statements. To be described as eg Un/Sworn affidavit (together with exhibits) in proceeding no. R400026 of 1999
Article	newspaper reports, books & mail drops
Authority	authorities and power of attorneys
Board Papers	all documents generated by a company Board of Directors e.g. resolutions, minutes of meeting
Brochure	brochures and advertisements
Cheque	
Cheque Remittance	a request that a cheque be drawn from an account in favour of a supplier
Company Search	historical company searches
Court Document	any document with a court heading e.g. notice of motion, statement of claim, defence etc To be described as eg Name of court document followed by court proceeding number. E.g. Subpoena for production in proceedings 50141 of 1999
CV	curriculum vitae
Data room	documents from the initial due diligence data room
Diagram/Drawing/Plan	plan showing a plot of land (not a map)
Diary entries/log	calendar entries, journals and chronologies. To be described as eg Daily activity record for the period xx/xx/xxxx to xx/xx/xxxx
Electronic file	

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Document Type	Includes
Electronic source	floppy discs, dictation tapes etc
Email	correspondence passing between parties via email only
Email attachment	
Fax Transmission	only for fax front cover/transmission sheets
File Note	telephone attendance notes, general file notes, post it notes etc
Form	any applications or questionnaires e.g. ASIC forms
Insurance papers	includes all insurance certificates etc
Invoice/statement	all requests for payment from a supplier, any credit notes or statements (a 'transaction history' of an account with a supplier usually following payment of an invoice)
Letter	correspondence passing between parties (includes true faxes)
List	all tables
Manual	all handbooks/procedural guides
Map	for directional purposes only (not a plan)
Memorandum	must specifically state memorandum or memo otherwise is a letter
Minutes of Meeting	includes all minutes of meetings but NOT those generated by a Board of Directors (see Board Papers above)
Miscellaneous	
Notice	any document entitled notice. To be described as eg E.g. Appointment of receiver and manager
Photographs	
Receipt	all documents acknowledging acceptance and date stamped envelopes e.g. receipt of documents or money
Report	documents entitled report
Searches	land title searches, folio searches etc.
Spreadsheet	
Share Certificate	all share certificates and transfer papers etc
Statement of account	all statements of bank accounts. To be described as eg Name of account, account number followed by period of statement e.g. (Access cheque account) (9511 - 82954) for period (19 May 95 to 26 May 95)
Submissions	documents entitled submissions. Proposal report or other document that is formally sent or presented to someone, so that they can consider or decide about it

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Contact Details

Please quote the Notice reference on the first page of correspondence from the Commission of Inquiry when contacting us.

▪ **Producing electronic media or hard copy documents to the Commission of Inquiry:**

Commission of Inquiry
Ground Floor, Apec Haus, Paga Ring Road
Port Moresby, PNG

Technical Assistants and International Solicitors Assisting the COI
coisolicitorsassisting@minterellison.com

cc: secretary@coiubsl.com

Telephone no: +675 301 9364

▪ **Emailing the Commission of Inquiry requesting a secure file transfer link:**

Technical Assistants and International Solicitors Assisting the COI
coisolicitorsassisting@minterellison.com

cc: secretary@coiubsl.com

Telephone no: +675 301 9364

▪ **Emailing the Commission of Inquiry in relation to a Notice to Produce or queries regarding Privilege:**

Technical Assistants and International Solicitors Assisting the COI
coisolicitorsassisting@minterellison.com

cc: secretary@coiubsl.com

Telephone no: +675 301 9364

▪ **Emailing the Commission of Inquiry regarding this *Document Production Guideline* or the *Document Production Protocol*, including if a party is unable to comply with either document:**

Technical Assistants and International Solicitors Assisting the COI
coisolicitorsassisting@minterellison.com

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