



An Coimisiún Imscrúdúcháin

**(Gníomhaireacht Náisiúnta
um Bhainistíocht Sócmhainní)**

**Commission of
Investigation**

**(National Asset
Management Agency)**

**The Honorable John D. Cooke
Sole Member**

Thirteenth Interim Report

24th February 2022

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Thirteenth Interim Report of the Commission of Investigation (National Asset Management Agency) and Request for the revision of the timeframe for submitting the Final Report under section 6 (6) of the Commissions of Investigation Act 2004

1. The Commission submits this Thirteenth Interim Report pursuant to sections 6(6) and 33 of the Commissions of Investigation Act 2004 with, for the reasons set out below, a request for revision of the timeframe for submission of its Final Report. So far as concerns the outline of the Commission's approach to the issues identified in paragraph 2 of the Terms of Reference and the production and analysis of documentation, this Report should be read in conjunction with the previous Interim Reports referred to below.
2. The Commission's First Interim Report, as required by paragraph 8 of its Terms of Reference, was submitted on 12th September 2017. Eleven further Interim Reports were submitted on the dates set out in the Twelfth Report following which the timeframe for completion was successively extended until the current date of 31st March 2022.
3. As described at paragraphs 4 to 6 of the preceding Interim Report, following the completion of the investigation of the issues raised in paragraph 2 of the Terms of Reference, the Commission prepared a provisional text of its draft Final Report with a view to sending it (or relevant extracts of it) to all persons identified in or identifiable from it as required by Section 34 of the above Act of 2004.
4. In the particular circumstances of this investigation, the exercise required by that section is a complex logistical task that involves the circulation of the full report to numerous identified individuals, firms and organisations and extracts, including different extracts, to others, a substantial number of which are located outside the State.
5. In view of the obligation of strict confidentiality imposed on recipients of the draft under section 37 of the Act and the offence for unauthorised divulging of its

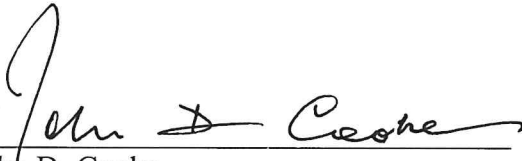
contents, the Commission considered it necessary to write in advance of the formal notification under section 34 to recipients located outside the State in order to (a) verify the correct name and address of the person to whom the draft should be sent; and (b) to seek confirmation that the obligation of confidentiality would be complied with.

6. As the work of preparing the consolidated provisional text for circulation under section 34 neared completion, it became apparent that its length and detail will require that a time limit of at least 6 weeks will have to be allowed in the accompanying notice under section 34 (2) of the Act for the making of submissions, requests or applications under sections 35 or 36.
7. As the current timeframe of the Commission will expire on 31st March 2022, the Commission has no authority specify a time allowed in the accompanying notice beyond that date.
8. The Commission cannot exclude the possibility that some recipients will request a longer period to consider the draft and cannot anticipate what submissions or requests may be made under sections 35 and 36.
9. During the time to be allowed under section 34 (2) the Commission will proceed to invite and endeavor to rule upon any applications for costs under section 24 of the Act.
10. In these circumstances it is necessary for the Commission to request a further extension of the timeframe fixed by its Terms of Reference for submission of the Final Report. In order to provide for the taking of the remaining steps indicated above to be taken and to provide for an orderly winding down of the Commission before it will stand dissolved in accordance with section 43 of the Act, the Commission considers it prudent to request an extension of the timeframe until 30 June 2022.

11. Depending particularly on the responses received under section 34, if the steps outlined above can be completed earlier than estimated, the Final Report will be submitted in advance of that date.

Delivered to the Taoiseach as the specified Minister and in accordance with the provisions of Section 32 of the Commissions of Investigation Act 2004.

On the 24th day of February 2022.

A handwritten signature in black ink, appearing to read 'John D. Cooke', written over a horizontal line.

John D. Cooke
Sole Member of the Commission