



RENEWABLE HEAT  
INCENTIVE INQUIRY

**WIT-160032**

RHI Inquiry  
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BT11 9BW

By post and email: [martin.lynch@sinnfein.ie](mailto:martin.lynch@sinnfein.ie)

31 May 2017

Dear Sir

**Re: The Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme**  
**Provision of a Section 21 Notice requiring the provision of evidence in the form of a written statement**

I am writing to you in my capacity as Solicitor to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme (known as 'the RHI Inquiry') which has been set up under the Inquiries Act 2005 ('the Act').

I enclose a copy of the RHI Inquiry's Terms of Reference for your information.

You will also be aware that the RHI Inquiry is conducting its investigations into the matters set out in its Terms of Reference.

From documentation received by the Inquiry it would appear that you received information relevant to the matters the Inquiry is investigating from an individual raising concerns about Ofgem. A copy of the relevant communication is attached for your convenience.

In keeping with the approach we are taking with other individuals, the RHI Inquiry is now issuing to you a Statutory Notice (known as a 'Section 21 Notice') pursuant

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Chairman: Rt Hon Sir Patrick Coghlin | Secretary: Andrew Browne | Solicitor: Patrick Butler

to its powers to compel the provision of evidence in the form of a written statement in relation to the information you received.

The Section 21 Notice enclosed with this letter requires you to provide evidence to the RHI Inquiry Panel in the form of a written statement addressing the matters identified in the Schedule to the Section 21 Notice. As the text of the Section 21 Notice explains, you are required by law to comply with it.

If it would assist you, I am happy to meet with you (or, if you have one, your legal representative) to discuss the requirements of the Section 21 Notice and what evidence you may be able to provide which is within the scope of the Section 21 Notice.

You will also find attached to the Section 21 Notice a Guidance Note explaining the nature of a Section 21 Notice and the procedures that the RHI Inquiry has adopted in relation to such a notice.

Given the tight time-frame within which the RHI Inquiry must operate, the Chairman of the Inquiry would be grateful if you would comply with the requirements of the Section 21 Notice as soon as possible and, in any event, by the date set out for compliance in the Notice itself.

Please do not hesitate to contact me to discuss any matter arising.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Patrick Butler', written in a cursive style.

**Patrick Butler**

Solicitor to the RHI Inquiry

02890408928

**SCHEDULE**

**[No 257 of 2017]**

1. On 20 January 2017 you received an email forwarding you information from a Mr Edd Fyfe (a copy of which is enclosed with this Notice for convenience). As to that, please explain:
  - a. What you did with the information contained within that email;
  - b. In what way, if at all, the information was used;
  - c. Whether you provided the information to the Comptroller and Auditor General (or any other relevant authority);
  - d. If you did so, when you did so;
  - e. If you did not do so, why you did not do so;
  - f. Whether you provided the information to anyone else;
  - g. If you did so, who else you provided it to and when; and
  - h. If you did not do so, why you did not do so.
  
2. Given the Terms of Reference of the RHI Inquiry, please set out any further relevant information that you have, or that you are aware of;

**RHI REF: Notice 257 of 2017**

**DATE: 19 June 2017**

Witness Statement of: Martin Lynch

In relation to the following questions asked in Notice 257 of 2017 I, Martin Lynch, will say as follows: -

**1.**

**a. What you did with the information contained within that email.**

I did nothing with the information contained within that email.

**b. In what way, if at all, the information was used.**

I did not use the information in any way.

**c. Whether you provided the information to the Comptroller and Auditor General (or any other relevant authority).**

No.

**d. If you did so, when you did so.**

Not applicable.

**e. If you did not do so, why you did not do so.**

I did not provide the information to the Comptroller and Auditor General (or any other relevant authority) because I was copied in to the email for information purposes only. The Finance Minister was best placed to decide who, if anyone, should be provided with the information.

**f. Whether you provided the information to anyone else.**

No

**g. If you did so, who else you provided it to and when.**

Not applicable

**h. If you did not do so, why you did not do so.**

I did not provide the information to anyone else because the Finance Minister was best placed to decide how to use the information.

**2. Given the Terms of Reference of the RHI Inquiry, please set out any further relevant information that you have, or that you are aware of.**

I have no further in relation to this matter.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: *M. Lynch*

Dated: *22.6.17*