



Former Pike River directors omit miner detail

[ROB STOCK](#) Last updated 05:00 11/11/2012

Pike River Coal's former directors, now serving on the boards of listed companies in New Zealand, Australia and India, all neglect to disclose their roles with Pike River in their online biographies.

The Pike River directors, whose leadership was damned in the Pike River Royal Commission report, released last week, were paid a collective \$1.18 million in fees in the four financial years to the end of June 2010.

That failure to disclose has brought a strong reaction from one fund manager.

"I struggle to see how they can feel they were willing to accept the fees and now they are quite happy to omit it," Chris Swasbrook from Elevation Capital said.

In 2009 a furore was unleashed after it was reported that directors who had served on the boards of collapsed finance companies were failing to mention that in their biographies on the websites of listed companies which they later represented.

Then a member of the NZX sub-listing committee which reviews new prospectuses, Swasbrook launched a stinging attack on the likes of Greg Muir, at the time executive chairman of children's clothing company Pumpkin Patch, and others for failing to acknowledge their roles with failed finance companies in public biographies.

Muir did not seek re-election to Pumpkin Patch's board the following year, saying despite the company's then "stellar performance" his leadership was drawing attention away from the business itself.

Last week Swasbrook extended his disclosure criticisms to former directors of Pike River Coal.

On November 19, 2010, an explosion in the underground coal mine, where ventilation systems were found to be inadequate to prevent spikes of the explosive gas methane, killed 29 people.

But in the director profiles posted on the websites of the listed companies where they now hold board seats they trumpet only their successes.

Pike River chairman John Dow, who held the role from from February 22, 2007 to September 30, 2011, and was paid \$80,000 each year, is also chairman of NZAX-listed Glass Earth Gold. He describes himself on Glass Earth's website as: "A geologist with 41 years' experience as a successful greenfields explorer, exploration manager, and mining executive in New Zealand, South East Asia, the United States and Latin America."

He goes on to say: "His most recent executive appointment was as chairman and managing director of Newmont Australia Limited, the Australian subsidiary of one of the world's largest gold producers. Mr Dow is a director of the AusIMM and holds various other roles in the mining industry."

Nowhere is Pike River mentioned.

Swasbrook, who believes markets can function properly only when given full and frank information, said there were no stock exchange rules governing the way directors presented such profiles.

A spokesman for Dow issued a statement to say: "All of the director profiles on the website to which you refer are brief summaries that refer to the directors' former roles only in general terms. Mr Dow has never sought to hide his involvement with Pike River. When the tragedy occurred, he went immediately to

Greymouth to meet with the families and others and made a number of public statements, including on television. He subsequently gave evidence in person to the royal commission which was widely reported. More recently he was one of three former directors who made a statement following the release of the commission's report."

Tony Radford, a director at NZX-listed company New Zealand Oil and Gas (NZOG), was chairman until the end of last month and continues to serve on the NZOG health and safety committee. He was also a director of Pike River from January 27, 1992 to June 10, 2011, and was paid \$45,000 a year.

His NZOG biography reads: "Tony Radford ACA, is a founding director of New Zealand Oil & Gas Limited, which was established in 1981. Tony used his accounting background to build a career in the petroleum and mining industries. Since retiring as CEO of NZOG in 2007 he has continued as non-executive Chairman of the company. He is also a director of Pan Pacific Petroleum. Tony is a fellow of the Australian Institute of Company Directors. He is a member of the HSE and Operational Risk Committee."

They are not the only ones coy about their Pike River positions.

Pike River was part-owned by two Indian companies, Gujarat NRE and Saurashtra. Gujarat is listed on the Indian Stock Exchange, and its director Arun Kumar Jagatramka was on the Pike River board from July 17, 2007 until September 29, 2011. He was paid \$45,000 a year, but his biography does not mention Pike River, instead dubbing him "a visionary of rare distinction" trumpeting his work in Australia, but not mentioning his connection to New Zealand.

Jagatramka is also a director of Shree Minerals, which is listed on the Australian sharemarket. Again there is no mention of Pike River.

Shree boasts a second former Pike River director, Sanjay Kumar Loyalka, who served from November 25, 2009 to September 29, 2011, but he too does not mention Pike River.

Saurashtra's Dipak Agarwalla was on the Pike River board from September 26, 2005 to September 30, 2011 and was also paid \$45,000 a year, but his official biography only reveals him to be: "The visionary person who dreamed something different and today the reality is in front of the world. By his sincere dedication, today group reached at (sic) the apex and will climb higher and higher."

A spokesman for NZOG said directors would be required to reveal all past directorships an investor would consider material only in prospectuses.

"We are required to disclose relevant directorships that affect the shareholders' immediate interests. If there was a prospectus out there we would probably be required to show all sorts of issues of past directorships," he said.

The spokesman gave the assurance that just because health and safety at Pike River had been found to be inadequate during a period when NZOG's then chairman was a director, did not mean NZOG was not operating safely. The company was not in operational charge of any facilities, he added.

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