

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Additional Estimates
2014 - 2015

Department/Agency: Treasury
Question: AET 350-353
Topic: Asbestos Injuries Compensation Fund
Reference: written - 11 March 2015
Senator: Dastyari, Sam

Question:

This fund was setup by James Hardie, the NSW Government and the Commonwealth Government.

- 350. Given the current restriction limiting the amount available to be drawn down to the current value of the insurance policies benefiting the AICF was \$214.3 million, as at 31 March 2014, has the federal government been approached by the NSW government seeking agreement to remove the restriction on the loan facility to allow the Fund access to \$320 million?
- 351. If so, has the Abbott Government agreed to lift the restriction? When?
- 352. If not, why not?
- 353. What is the Abbott Government doing to ensure that asbestos victims receive their full compensation damages awards from James Hardie?

Answer:

In response to questions 350 – 353, the Commonwealth Government has no involvement in the loan facility agreement between the New South Wales Government (NSW) and the Asbestos Injuries Compensation Fund (AICF).

NSW does not therefore require the agreement of the Commonwealth to remove the restriction on the loan facility that NSW has with the AICF to allow the Fund access to more than the value of the insurance policies benefiting the AICF.

James Hardie remains responsible for the funding of the AICF and for fully compensating asbestos victims with claims against the AICF.