

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Additional Estimates 2015 - 2016**

Outcome 2 - Workplace Relations and Economic Strategy

Department of Employment Question No. EMSQ16-000275

Senator McKenzie provided in writing.

Question

Fair Entitlements Guarantee - Queensland Nickel - 588FB of the Corporations Act

Could a transaction under 588FB of the Corporations Act that was considered “uncommercial transactions” also include donations to a political party?

Could a transaction potentially be considered “uncommercial” if the entity that paid the money received no discernible benefit from the payment?

If the donations were found to be an uncommercial transaction, Could they be recoverable?

Who has standing to bring a prosecution under s 588FB?

Answer

Could a transaction under 588FB of the Corporations Act that was considered “uncommercial transactions” also include donations to a political party?

Yes.

Could a transaction potentially be considered “uncommercial” if the entity that paid the money received no discernible benefit from the payment?

Yes.

If the donations were found to be an uncommercial transaction, Could they be recoverable?

Yes.

Who has standing to bring a prosecution under s 588FB?

Any liquidator appointed to Queensland Nickel.