

## **Senate Standing Committee on Education and Employment**

### **QUESTIONS ON NOTICE Budget Estimates 2016 - 2017**

#### **Outcome 2 - Workplace Relations and Economic Strategy**

**Department of Employment Question No. EMSQ16-000794**

**Senator Reynolds asked on 06 May 2016 on proof Hansard page 64**

#### **Question**

##### **Queensland Nickel - special purpose liquidators**

Senator REYNOLDS: Will the special purpose liquidator have the effect of changing the priority of creditors should moneys be realised in the liquidation process? Can they move it around?

Ms D Mitchell: We would have to take that one on notice.

Senator REYNOLDS: That is fine. It is not an issue for now, but it is obviously a relevant issue as we move forward.

#### **Answer**

The *Corporations Act 2001* sets down the priority order for payments to unsecured creditors (which includes insolvency practitioner fees and outstanding employee entitlements) in a winding up.

The appointment of Special Purpose Liquidators does not alter this usual statutory priority of creditors.