

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2005-2006 BUDGET SENATE ESTIMATES HEARING
30, 31 MAY and 3 JUNE 2005**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Indigenous Business Australia

Question Number: W363-06

Question:

Senator Johnston asked at *Hansard* page 122:

In relation to the formal report to ASIC on the conduct of the previous directors of Presspower, is this report available publicly?

Answer:

The report referred to falls under Sections 422(1) and (2) of the Corporations Act 2001.

It is a report lodged with ASIC by a receiver of property of a corporation, where it appears that a past or present officer or employee or member of the corporation may have been guilty of an offence in relation to the corporation, or a person involved in the formation, promotion, administration, management or winding up of the corporation may have been guilty of any negligence, default, breach of duty or breach of trust in relation to the corporation.

The receiver may also lodge further reports specifying any other matter that, in the receiver's opinion, it is desirable to bring to the notice of ASIC.

Based on advice from ASIC these reports are not available publicly as it is a report which is provided by the receiver under qualified privilege.