

Senate Standing Committee on Education Employment and Workplace Relations

**QUESTIONS ON NOTICE
Budget Estimates 2011-2012**

Outcome 2 - Schools

DEEWR Question No.EW0180_12

Senator Mason provided in writing.

Question

Bovis Lend Lease/Project Kendall Pty Ltd

Given that on the 17 February 2011, Senator Evans stated: "My main focus is to make sure that the tradies and the subbies get paid and obviously that's the overall priority." the minister said in Perth on Thursday. "My focus is on making sure the guys that did the work get paid and we're going to see if Mr Orgill can help." when will the subcontractors for Project Kendall Pty Lts, "the tradies and the subbies" who did all the work, get paid?

Answer

Project Kendall is currently under the control of an Insolvency Practitioner. It is the role of the Insolvency Practitioner to investigate the company's financial affairs and report to its creditors as well as the Australian Securities Investment Commission.

At the request of the Minister, the Chair of the Building the Education Revolution Implementation Taskforce met with the NSW Catholic Block Grant Authority (BGA) to discuss possible options to assist the subcontractors.

The NSW Catholic BGA advised that the contract to undertake Building the Education Revolution works in NSW Catholic schools on its behalf was between Bovis Lend Lease (as Managing Contractor) and Project Kendall (subcontractor) and that it did not contain any provision that would allow the NSW Catholic BGA to pay the subcontractors direct.

The NSW Catholic BGA has advised that Bovis Lend Lease re-tendered the works and in most cases, re-engaged the tradespeople working on the projects.

Claims by subcontractors of Project Kendall for unpaid monies are appropriately managed by the Insolvency Practitioner through the Project Kendall insolvency process.