
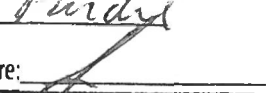


QBCC fails to address issue

Queensland Legislative Assembly	
Number: 5618T1790	
	01 NOV 2018
MP: Mr Purdy	Tabled <input checked="" type="checkbox"/> By Leave <input type="checkbox"/>
Clerk's Signature: 	

Creditors to meet in Rocky next week

BILL HOFFMAN

bill.hoffman@scnews.com.au

EIGHT companies in the troubled JM Kelly Group have been liquidated, while a further two survive in administration ahead of a first creditors meeting to be held in Rockhampton next Monday.

The scale of debt left by the Central Queensland company may not be known for some time.

What is known is licences issued by regulator Queensland Building and Construction Commission to several of the 10 companies that make up the group would have required about \$15 million in net tangible assets.

QBCC commissioner Brett Bassett will be in Rockhampton on Wednesday to meet with affected subcontractors, including those who have warned it for some time about the JM Kelly Group's history of slow payments.

Mr Bassett has written to those impacted, saying he appreciated that this was a difficult time.

The "informal" meeting will

be held in the QBCC Customer Service Centre in Alma St, Rockhampton, for an hour from 11.30am.

The QBCC on Monday failed to directly address questions about the evidence it put to a QCAT appeal hearing.

“ THE QBCC HAS NO LEGAL POWER TO PROSECUTE ANY PERSON FOR MAKING AN ALLEGEDLY FALSE STATUTORY DECLARATION.

That hearing found John Geoffrey Murphy to be a person who should not be excluded from the industry as someone of influence in JM Kelly Project Builders, which went into liquidation in 2016.

QCAT reached its decision despite Mr Murphy having been general manager of JM Kelly Project Builders at the time and having described himself as Mr JM Kelly during a district court hearing involving its failure to pay Mackay

Labour Hire money owed.

In relation to emails sent by a government contract supervisor to the departments of Housing and Public Works and Employment and Training in 2016, warning that Mr Murphy had produced false statutory declarations that subcontractors had been paid when they had not, a spokesperson said: “We understand that allegations of false statutory declarations were referred to the Queensland Police Service at the time.

“The Queensland Building and Construction Commission has no legal power to prosecute any person for making an allegedly false statutory declaration.

“One of the roles of the liquidator is to investigate the circumstances surrounding the collapse of any entity to which they are appointed.

“Part of this includes a statutory requirement to lodge reports with the Australian Securities and Investments Commission, including whether or not there are allegations of insolvent trading.”