

NOTICE TO EMPLOYEES

25 November 2015

Dear Sir/Madam,

Force Corp Pty Limited (In Liquidation)
ACN 109 630 079
(the "Company")

I refer to the appointment of Vaughan Strawbridge and I as Administrators and subsequently Liquidators of the Company on 13 July 2015 and 23 November 2015 respectively.

As advised in previous communications, once the Company was placed into Liquidation, eligible employees would be able to lodge a claim for assistance on certain classes of their entitlements to the Fair Entitlements Guarantee ("FEG") scheme, which is administered through the Department of Employment – Australian Government.

The purpose of this letter is to confirm that the Company has now entered into Liquidation and to provide an update on lodging a claim through the FEG scheme.

Lodging a Claim with FEG

For information with respect to lodging and claiming FEG assistance, please refer to the enclosed Department of Employment Factsheet '*How do I apply for FEG assistance?*' (attached as "Annexure A").

Details of how to apply through the FEG website is outlined as follows:

- You can access the FEG website at <https://extranet.deewr.gov.au/feg>
- **We recommend that employees register with FEG online as soon as possible as there is a time limit in which you have to submit your claim, and you are likely to receive a faster response**
- Make sure you use the Company's correct legal name and Australian Company Number ("ACN"):
Name: Force Corp Pty Limited (In Liquidation)
ACN: 109 630 079

Please also be aware that you will need to be an Australian citizen or, under the *Migration Act 1958*, the holder of a permanent visa or special category visa, to be eligible to make a claim with FEG.

Your claim will ordinarily take approximately 12 to 16 weeks from the date of submission for FEG to consider, adjudicate and pay any claims. Please note that submitting inaccurate or incomplete information to FEG is likely to lead to delays. For further information, please contact the Department of Employment directly on 1300 135 040 or visit their website at <http://www.employment.gov.au/fair-entitlements-guarantee-feg>.

We understand that some employees are still disputing their pre-appointment employee entitlements calculations. Please note that the Liquidators office will continue to work with employees and FEG in an attempt to resolve these issues.

Should you have any queries regarding any of the above, please contact Nicole Libardo of our office on (02) 9322 5547 or by email forcecorp@deloitte.com.au.

Yours faithfully,



David John Frank Lombe
Joint and Several Liquidator

Encl.

Deloitte.

Annexure A



How do I apply for FEG assistance?

This fact sheet provides information about how to lodge a claim for assistance under the Fair Entitlements Guarantee (FEG) and the types of supporting documentation that may assist the department to decide your claim.

Making a claim

If you think you may be eligible for FEG assistance you should complete and lodge a FEG claim form.

For more information about making a claim you may wish to refer to the legislation under which FEG is administered, the *Fair Entitlements Guarantee Act 2012* (the FEG Act).

For more information about FEG eligibility requirements please refer to the *Eligibility for FEG assistance* fact sheet available on the FEG website (www.employment.gov.au/FEG).

Online claim forms

Online lodgement is the easy way to make a claim. Just register for [FEG Online Services](http://www.employment.gov.au/FEGonline) (www.employment.gov.au/FEGonline) to complete and lodge your form.

Using FEG Online Services means that we will receive your claim within 24 hours after it is submitted. FEG Online Services also allows you to upload and submit supporting documentation. For more information about how to lodge your claim online please refer to the *How do I access FEG Online Services* fact sheet available on the [FEG website](http://www.employment.gov.au/FEG) (www.employment.gov.au/FEG).

If you are unable to lodge an online claim form, you can submit a paper based [FEG claim form](#). Copies are available from the [FEG website](http://www.employment.gov.au/FEG) (www.employment.gov.au/FEG) or by contacting the FEG Hotline. Paper based claim forms must be lodged by:

- Sending it to:
Fair Entitlements Guarantee Branch
Department of Employment
GPO Box 9880
CANBERRA ACT 2601
- Faxing it to (02) 6276 8717 or
- Emailing it to FEG@employment.gov.au.

How long do I have to make a claim?

It is important that you lodge your claim form as soon as possible. Strict time limits apply under FEG. To make an effective claim, you must lodge a FEG claim form and include all mandatory information and documentation. Your claim must also be made:

- no more than 12 months after the end of your employment or the date of the insolvency event (whichever is later) and
- before the discharge of your former employer's bankruptcy (if your employer was a bankrupt).

If your claim is not made within the timeframe, or does not include all required information and mandatory documentation, it will not be effective and you will not be eligible for FEG assistance.

*For the purposes of the FEG Act, the date of liquidation or bankruptcy is defined as an insolvency event (see s. 5 of the FEG Act).

Completing your claim form

To help us decide if you are eligible for FEG assistance and, if so, to work out the amount of assistance you are eligible for, you should provide us with as much information as possible.

In order for your claim to be effective you must answer all questions marked with an asterisk (*). You must also provide us with supporting documentation, some of which is mandatory, as indicated on the claim form. If you don't provide mandatory information and documentation this will delay the processing of your claim.

Mandatory and Supporting documentation

It is in your interest to provide us with any supporting documentation that may assist us in deciding your claim. The provision of some documents is mandatory.

Providing supporting documentation may reduce unnecessary delays in the event that the insolvency practitioner is unable to confirm your outstanding employment entitlements.

Mandatory documents

The provision of documentary evidence of your residency or citizenship status at the time your employment ended is mandatory (see s. 10 of the FEG Act). The copies of documents that are sent with your claim must be certified as true copies of the original documents.

Acceptable evidence of your citizenship or residency status includes a copy of at least one of the following categories of documents that has been certified as a 'true copy' of the original document by a person authorised to do so:

- an Australian Passport current at the end of your employment
- a full Australian birth certificate
- an Australian citizenship certificate issued prior to the end of your employment
- an appropriate Australian visa (i.e. a current visa that allows you to live in Australia indefinitely) issued prior to the end of your employment which may be recorded in your passport
- a certificate of evidence of resident status issued by the Department of Immigration and Border Protection prior to the end of your employment (or confirming from what date you held resident status)
- where appropriate, for the purpose of proving you hold a special category visa, a New Zealand passport.

Please note that your driver's licence is not acceptable evidence to show you are an Australian citizen or the holder of a permanent or special category visa.

Who can certify that a document is a true copy of the original?

Persons authorised to certify documents include: a Justice of the Peace, Medical Practitioner, Pharmacist, Police Officer and bank officer with more than 5 years service. For more information about who can certify documents please refer to the [How do I certify documents?](#) fact sheet available on the [FEG website](#) (www.employment.gov.au/FEG).

Other supporting documents

The list below includes examples of the other types of documents that may help us to assess your claim:

- signed employment contract or letter of appointment
- payslips
- PAYG payment summaries
- bank statements for the 13 weeks prior to the initial appointment of the insolvency practitioner (or if your employment ended before the appointment of the insolvency practitioner, bank statements for the 13 week period prior to the end of your employment)
- bank statements for the 30 days immediately after your employment ended
- evidence of weekly or annual wage rate
- separation certificate
- letter of termination.

For information about how the department may use and disclose your personal information please refer to the Information Management provisions of the FEG Act (see ss. 42–45).

Want more information?

You can contact the FEG Hotline if you would like more information about how to make your claim or you are unsure about the types of supporting documentation to include.

To contact the FEG Hotline:

- phone 1300 135 040 or
- email FEG@employment.gov.au.

If you speak a language other than English, call the Translating and Interpreting Service (TIS) on 13 14 50 for free help anytime.

Further information about FEG is also available on the [FEG website](#) (www.employment.gov.au/FEG).

The information contained in this fact sheet is of a general nature and explains, in summary form, the intended operation of the *Fair Entitlements Guarantee Act 2012* - it is not legal advice. Where necessary, you should seek your own independent legal advice relevant to your particular circumstances. The Commonwealth is not liable for any loss resulting from any action taken or reliance made by you on the information contained in this factsheet

Updated: December 2014