

## BRIEFS



Party time: CFMEU members and their families took advantage of the Union Picnic in December with crowds of kids watching Santa arrive by Westpac Helicopter top, and above, a lucky union member collects a DVD player from Organiser Pom Aumatagi

### Picnic feedback wanted

Well done for everyone who turned up for last year's picnic ... a great time was had by all. The CFMEU is reviewing the venues for this year's picnic as numbers were down at Luna Park for the 2005 event.

The Committee of Management is considering new venues and would love to hear from members on where you would like to go.

One possibility is the Sydney Olympic Park Aquatic Centre at Homebush. If you have any ideas, suggestions or feedback please contact Michael Knott at 9749 0400.

### Get reconciled

The CFMEU Local Reconciliation Group is meeting on the following scheduled dates at 5pm, Ground Floor, 12 Railway Street, Lidcombe.

- Tuesday April 18
- Tuesday May 23
- Monday June 19
- Monday July 17
- Monday August 21
- Monday September 18
- Monday October 23
- Monday November 20
- Monday December 11

We strongly urge all indigenous and non-indigenous members to partici-

pate in the important group, which is planning several activities over the next two years.

### Activist honoured

Retired CFMEU member and union activist Alwyn O'Connor was recently honoured by Unions NSW with a Scroll of Honour for his lifetime's services to the union movement. Congratulations to Alwyn. We will bring you a more detailed story in the next issue of Unity.

### Labor wants Work Choices feedback

The Federal Labor Party wants to hear your concerns about the Howard Government's WorkChoices legislation.

It has formed a national Taskforce which will travel around the country giving people the chance to tell their story.

Workers are invited to play a direct role in exposing the indecency of the Howard Government's new employment laws. It is due to report to Labor leader Kim Beazley and Caucus on May 8.

If you want to share your story contact taskforce chairman Brendan O'Connor on 0407-810087 or 03-83616588.

## Corporations Act threatens payments

In a majority of States, builders and sub-contractors regularly process payments under 'security of payment' acts. However, principles and defences available under The Corporations Act are capable of interfering with the process.

If a debtor company goes into administration or liquidation, payments secured under the Act can be at risk.

Payments made to unsecured creditors may be recovered if liquidators can prove an "unfair preference". It is the Liquidators duty to recover as much money for creditors as possible, and thereby they can review and invalidate payments made up to six months prior to their appointment.

The receiver can defend the payment if they can show it was made in "good faith", and could not reasonably have expected the company would become insolvent. However, time and money must be spent to defeat the liquidator's claim.

This should not discourage you from using Security of Payment Acts, but be mindful of The Corporations Act and always take the following precautions:

- If at all possible obtain personal guarantees from directors of building companies;
- Check out the company and personnel before entering into contracts;
- Negotiate increased frequency of payments and avoid accumulation of large debts; and
- Use the stop work provisions of the Security of Payments Act if large debts are accruing.

For further information contact solicitors Peter Wilson or Simon Meigan at Taylor and Scott on 9265 2500. — Peter Wilson

The CFMEU's city office has now moved to Level 10, 377 Sussex Street (near the corner of Goulburn Street). The move out of the Wentworth Street offices means the CFMEU will be more centrally located in a complex with other trade unions, including the mining division of the CFMEU. Unions NSW will also be just around the corner in the newly refurbished heritage Trades Hall. The phone number is 9285 5222.