



## Frequently asked questions (FAQs)

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### 1. Has the Stolen Wages scheme been approved by the court?

On 17 January 2020, Justice Murphy of the Federal Court of Australia approved the settlement of the Stolen Wages Class Action (QUD714/2016) agreed between the Queensland Government and Mr Hans Pearson (the lead plaintiff). The Queensland Government has agreed to pay \$190 million to settle the court proceedings.

The settlement monies are paid to claimants according to a Settlement Distribution Scheme approved by Justice Murphy.

A copy of Justice Murphy's orders and the Settlement Distribution Scheme are available on the Stolen Wages website, [www.stolenwages.com.au](http://www.stolenwages.com.au) under the *Documents* tab.

### 2. What is the Stolen Wages Settlement Distribution Scheme?

The Stolen Wages Settlement Distribution Scheme is the document approved by the Federal Court that sets out who is eligible to a payment, how the amount of payments are worked out, when payments are made and how the scheme is administered.

A copy of the Settlement Distribution Scheme document is available on the Stolen Wages website, [www.stolenwages.com.au](http://www.stolenwages.com.au) under the [DOCUMENTS](#) tab.

### 3. Is it too late to register?

Registrations for the Stolen Wages scheme closed on 21 November 2019.

The administrators cannot accept late registrations.

No new registrations can be accepted, other than from Papua New Guineans, who can still register until 7 February 2020.

Executors of the wills of claimants that have passed away can register with the administrators that they are an executor until 7 May 2020.

### 4. Who is Grant Thornton?

Grant Thornton is one of the world's leading independent accounting, audit, tax and advisory firms. It has more than 1,300 people working in offices in Adelaide, Brisbane, Cairns, Melbourne, Perth and Sydney. The Stolen Wages administrators, Anthony Beven and Tony Jonsson are based in Grant Thornton's Cairns office.

Grant Thornton will be reviewing the eligibility of claims under the Stolen Wages Settlement Distribution Scheme, processing claims and making payments under the scheme to eligible claimants or registered representatives.

Bottoms English Lawyers (BELAW) have transferred the relevant information they have about all registered claimants under the scheme to Grant Thornton. BELAW were appointed by the Federal Court under the Settlement Distribution Scheme as Grant Thornton's legal advisors and will provide advice and assistance as required throughout the administration process. Grant Thornton has a Stolen Wages Information Centre and all questions about the scheme should now be directed to Grant Thornton. The administrators' Stolen Wages Information Centre can be contacted at:

**Phone:** 1300 591 545 (9.00am - 5.00pm weekdays)

**Email:** [stolenwages@au.gt.com](mailto:stolenwages@au.gt.com)

**Fax:** (07) 3222 0447

**Address:** PO Box 7200, CAIRNS QLD 4870.

## 5. Who do I contact about my payment?

Justice Murphy appointed Anthony Beven and Tony Jonsson from Grant Thornton in Cairns as the administrators of the Settlement Distribution Scheme. The administrators' Stolen Wages Information Centre can be contacted at:

**Phone:** 1300 591 545 (9.00am - 5.00pm weekdays)

**Email:** [stolenwages@au.gt.com](mailto:stolenwages@au.gt.com)

**Fax:** (07) 3222 0447

**Address:** PO Box 7200, CAIRNS QLD 4870..

## 6. Who is eligible to receive payment under the Stolen Wages Settlement Distribution Scheme?

A full definition of who is eligible to receive a payment is set out in Schedule 3 of the Settlement Distribution Scheme. A copy is available on the Stolen Wages website; [www.stolenwages.com.au](http://www.stolenwages.com.au). A guide to eligibility under the scheme is set out below. A claimant must all of the listed criteria:

1. an eligible claimant must be Aboriginal or Torres Strait Islander
2. at any time from 12 October 1939 to 4 December 1972 (the Claim Period), lived in a Queensland Aboriginal or Torres Strait Islander district, reserve, settlement or mission
3. was employed or was required to work at any time during the Claim Period and that employment was controlled by the Queensland Government
4. registered a claim with Bottoms English Lawyers (BELAW) by 21 November 2019 (Papua New Guineans can still register until 7 February 2020).

If an eligible claimant has passed away, their spouse, or if there is no living spouse, a living child, could register for them by 21 November 2019. If a spouse or child has registered for a claimant that has passed away, they are called a registered representative.

## 7. What if a claimant has passed away?

If an eligible claimant has passed away, their spouse, or if there is no living spouse, a living child, could register for them by 21 November 2019. Children could only register if the deceased claimant had no living spouse. If a spouse or child has registered for a claimant that has passed away, they are called a registered representative.

Multiple spouses or children could register before 21 November 2019 and they are treated as joint registered representatives. Joint registered representatives will share any payment that the deceased claimant is entitled to under the Settlement Distribution Scheme.

Grandchildren or other relatives are not eligible to register for the Stolen Wages Settlement Distribution Scheme for a claimant that has passed away.

No new registrations can be accepted from spouses or children of claimants that have passed away, other than from Papua New Guineans who can still register until 7 February 2020.

## 8. Who is a spouse?

A spouse is someone who was married to, or in a de facto relationship with, a claimant that has passed away.

A de facto relationship is a relationship where two people lived together as a couple for at least two years.

## 9. Who is a child?

A child is a person who is a natural child of a claimant, including any illegitimate child, as well as any child who was adopted legally or under Torres Strait Islander traditional adoption.

Torres Strait Islander traditional adoption is where a child was permanently transferred from one family to the claimant's family, and the child usually remained within the claimant's extended family and took the surname of the claimant's family.

## 10. Is a child adopted legally or under Torres Strait Islander traditional adoption eligible?

Adopted children of a deceased claimant are eligible if they registered by 21 November 2019. No new registrations can be accepted.

Adoption includes legal adoption or Torres Strait Islander traditional adoption.

Torres Strait Islander traditional adoption is where a child was permanently transferred from one family to the claimant's family, and the child remained within the claimant's extended family and usually took the surname of the claimant's family.

If a registered representative has been adopted by a deceased claimant under traditional Torres

Strait Islander adoption, a family member must complete the *Stolen Wages: traditional Torres Strait Islander adoption* statutory declaration confirming that the person was adopted and submit it to the Stolen Wages Information Centre. This is a requirement under the Settlement Distribution Scheme. The statutory declaration is available under the [DOCUMENTS](#) tab on the website.

## 11. Who is a registered representative?

If an eligible claimant has passed away, their spouse, or if there is no living spouse, a living child, could register by 21 November 2019. Children could only register if the deceased claimant had no living spouse. If a spouse or child has registered for a claimant that has passed away, they are called a registered representative.

No new registrations can be accepted from spouses or children of claimants that have passed away, other than from Papua New Guineans who can still register until 7 February 2020.

## 12. Can multiple spouses or children register?

Yes. If a claimant has passed away, multiple spouses or children could register before 21 November 2019 and they are treated as joint registered representatives. Children could only register if the deceased claimant had no living spouse.

Joint registered representatives will share any payment that the deceased claimant is entitled to under the Settlement Distribution Scheme.

No new registrations can be accepted from spouses or children of claimants that have passed away, other than from Papua New Guineans who can still register until 7 February 2020.

## 13. What if a deceased claimant had more than one child and not all of them registered before 21 November 2019?

If a claimant has passed away, their spouse could register for them by 21 November 2019. If the claimant had no living spouse, then their children could register for them as their registered representative by 21 November 2019.

If there is no living spouse and more than one child registers, they are treated as joint registered representatives. Joint registered representatives will share any payment that the deceased claimant is entitled to under the Settlement Distribution Scheme.

The administrator does not have the power to accept late registrations.

If some children of a deceased claimant did not register before 21 November 2019 the administrators cannot make a payment to those children. They should speak to their brother or sister that registered about sharing the payment for their claimant parent.

## 14. Can a grandchild or other relative register?

Grandchildren or other relatives are not eligible to register for the Stolen Wages Settlement Distribution Scheme for a claimant that has passed away.

## 15. When will I be paid?

The administrators cannot access the Stolen Wages settlement monies until after the Federal Court appeal period expires on 6 March 2020. If no appeals are made to the Federal Court before 6 March 2020 against the orders of Justice Murphy on 17 January 2020, the Queensland Government will then transfer the settlement monies to the administrators.

If no appeals are made to the Federal Court, the administrators have until 6 September 2020 to verify the identity and eligibility of all claimants and then send a distribution statement to each claimant setting out their details and the estimated amount they will be paid.

Within three months of the administrators sending out distribution statements or after all reviews requested by claimants are completed, whichever is later, the administrators will make payments to claimants.

The administrators will be working as quickly as possible to pay claimants, but the Stolen Wages scheme is large and complicated and there are approximately 12,000 registered claimants to contact. They also need to make sure the settlement monies are going to people that are entitled to the money. Circumstances beyond the administrators' control may cause delays and the administrators can extend any of the due dates by up to 45 days. The Federal Court may also extend the due dates if necessary.

### Timeline (indicative only)

6 March 2020	Appeal period closes
18 March 2020	Queensland Government transfers settlement monies to the administrators
March — September	Administrators verify all registered claims
6 September 2020	Distribution statements sent to all claimants with estimate of payment
6 December 2020	Payments made to claimants..

## 16. How much will I be paid?

The Federal Court has approved a distribution of the Stolen Wages settlement monies based on the evidence filed in the Federal Court case, and the differences between class members' claims. The Settlement Distribution Scheme allocates claimants into different pools based on their date of birth, gender, whether they are Aboriginal or Torres Strait Islander and whether they are alive or have passed away.

The administrators will not be able to provide estimates of how much claimants will be paid until they have assessed the eligibility of all claimants and determined which pool they each belong to. A distribution statement will be sent to each claimant or registered representative of deceased claimants by 6 September 2020 (unless extended by the administrators or the Federal Court) setting out their details and the estimated amount they will be paid.

The Settlement Distribution Scheme includes some examples of how the Stolen Wages settlement monies are divided amongst claimants. These are examples only and the amounts listed are not indicative of how much each claimant will receive. The accurate estimate of how much each claimant will receive will be provided in the distribution sent to all claimants by 6 September 2020 (unless extended by the administrators or the Federal Court).

## 17. How will payments be made?

All payments to eligible claimants, or the registered representatives of deceased claimants, will only be made by electronic funds transfer direct to a bank account. No payments will be made by cash or cheque.

All claimants and registered representatives have to provide their up-to-date bank account details to the Stolen Wages Information Centre. You can contact the Stolen Wages Information Centre on:

**Phone:** 1300 591 545

**Email:** stolenwages@au.gt.com

**Fax:** (07) 3222 0447

**Address:** PO Box 7200, CAIRNS QLD 4870.

## 18. What information do I have to provide?

All living claimants and the registered representatives of deceased claimants that have already registered for the Stolen Wages scheme (registrations closed on 21 November 2019, other than for Papua New Guineans), must provide the following information:

- the full legal name of the claimant
- the date of birth of the claimant
- proof of the identity of the claimant, or the registered representative of a claimant that has passed away
- the mailing address of the claimant, or the registered representative of a claimant that has passed away (email addresses and telephone numbers would also assist in receiving communications from the administrators)
- the gender of the claimant
- whether the claimant is Aboriginal or Torres Strait Islander (one only must be nominated and a claimant cannot nominate both)
- if a person is a registered representative of a deceased claimant, information about their relationship to the deceased claimant—a registered representative must be a spouse (married or de facto husband or wife), son or daughter only
- the BSB and account number of a current bank account in the name of the claimant, or the registered representative of a claimant that has passed away.
- If you are a claimant or the registered representative of a deceased claimant and haven't provided the above information, or it has changed, please contact the Stolen Wages Information Centre on:

**Phone:** 1300 591 545 (9.00am - 5.00pm weekdays)

**Email:** stolenwages@au.gt.com

**Fax:** (07) 3222 0447

**Address:** PO Box 7200, CAIRNS QLD 4870.

The administrators will be writing to all claimants and registered representatives with details of their registered information and asking for confirmation of the information and any missing information.

The administrators may also request a claimant or registered representative to provide additional documents or information to help in assessing their claim.

## 19. What proof of identity do I have to provide?

All living claimants and registered representatives of deceased claimants that have already registered for the Stolen Wages scheme need to provide a copy of a legal form of photo ID or alternate identification to the Stolen Wages Information Centre in order to verify their identity. Valid identification includes:

- a valid drivers licence
- a valid passport or an expired Australian passport for up to 3 years from the expiry date
- a current proof of age card issued by a state or territory with the name of the person, photo and signature
- a current shooter or firearms licence with the name of the person, photo and signature
- a current secondary student or university ID card with the name of the person, photo and signature
- a current photo ID issued by the Commonwealth, state or territory in the name of the person
- a birth certificate
- an identification and verification of identity form for Aboriginal and Torres Strait Islander people that do not have an identity document (available on the Stolen Wages website, [www.stolenwages.com.au](http://www.stolenwages.com.au))
- other forms of identity verification approved by the scheme administrators.

The name on the identification must exactly match the name of the registered living claimant or the registered representative of a deceased claimant and must be received before any payment can be made.

A form, *Confirmation of Identity – Verification*, is available on the website under the documents tab for people that do not have any of the types of identification listed above. The form is available on the [DOCUMENTS](#) tab but is only to be used if a person does not have a valid form of identification. It is expected that very few people will not have one form of valid identification. If a person submits the *Confirmation of Identity – Verification* form, and they do have a valid identification document and don't provide a copy, this could delay the processing of their claim.

Copies of identification can be sent to the Stolen Wages Information Centre at:

**Email:** stolenwages@au.gt.com

**Fax:** (07) 3222 0447

**Address:** PO Box 7200, CAIRNS QLD 4870.

## 20. Can my stolen wages payment be paid to someone else?

A person entitled to receive a payment under the Stolen Wages Settlement Distribution Scheme can request the administrators to make their payment to someone else.

A written authority to make the payment to someone else will need to be completed by the living claimant or registered representative and submitted to the Stolen Wages Information Centre.

A copy of the authority will be available shortly on the Stolen Wages

website, [www.stolenwages.com.au](http://www.stolenwages.com.au), or by contacting the Stolen Wages Information Centre on 1300 591 545 (9.00am - 5.00pm weekdays).

## 21. What if I disagree with my payment?

The administrators will send a distribution statement to all eligible claimants or registered representatives of deceased claimants by 6 September 2020 setting out how much they are entitled to be paid.

A claimant or registered representative has 30 days after the distribution statement is sent to them to ask for a review of their entitlement. Reviews cannot be requested about someone else's entitlement.

Reviews will be conducted by an independent barrister within 21 days and the decision will be provided in writing by the barrister to the claimant or registered representative.

The cost of a review is \$800 for the first two hours and \$450 for extra hours. The cost must be paid by the claimant or registered representative requesting the review and it will be deducted from their payment by the administrators.

## 22. How do I register or change my bank account details?

All Stolen Wages claimants and registered representatives of deceased claimants must provide their bank account details to the Stolen Wages Information Centre. This is because payments will only be made by the administrators to a bank account. No payments will be made by cheque or cash.

To prevent fraud and to protect the privacy of claimants and registered representatives, the Stolen Wages Information Centre will not take or change bank account details over the phone or in an email.

If a claimant or registered representative did not provide their bank account details when they registered for the Stolen Wages Settlement or wish to change their registered bank account, they must complete a bank account details form, sign it and return it to the Stolen Wages Information Centre. The form can be downloaded from the [DOCUMENTS](#) tab.

Claimants and registered representatives that provided their bank account details when they registered for the Stolen Wages Settlement do not need to complete the bank account details form unless they change their bank account.

All claimants and registered representatives that have registered for the Stolen Wages Settlement need to provide a copy of a legal form of photo ID or alternate identification to the Stolen Wages Information Centre in order to verify their identity. The types of valid identification are listed under *What proof of identity do I have to provide?* under the [FAQ](#) tab. Bank account details forms will not be registered unless a claimant or registered representative has provided valid identification to the Stolen Wages Information Centre.

Contact the Stolen Wages Information Centre if you require assistance with the bank account details form.

### 23. WILL A STOLEN WAGES PAYMENT AFFECT MY SOCIAL SECURITY PAYMENT?

The Commonwealth Department of Social Services (DSS) manages social security payments, including family payments, student payments and income support payments for working age people, seniors and disabled people and their carers.

The administrators asked DSS if Stolen Wages payments would affect the social security payments of claimants and registered representatives. On 30 March 2020, DSS provided the following advice:

#### ***"Social security income test treatment of Queensland Stolen Wages Class Action payments***

**Payments from the Queensland Stolen Wages Class Action will not be counted as income for social security payments. This means that the initial lump sum amount will not have any effect on the social security payments you may receive.**

**You will still need to report these payments to Services Australia (Centrelink). You can contact the Services Australia Indigenous Call Centre, or your regular payment line, to advise of the payments. Please find contact details of the Indigenous Call Centre below.**

**Services Australia Indigenous Call Centre: 1800 136 380 (Monday - Friday, 8.00am - 5.00pm).**

**While the initial lump sum payment will not affect social security payments, any on-going income generated by the lump sum is counted under the income test, and any assessable asset produced from the lump sum is counted under the social security assets test."**

If you have specific questions about your social security payment please contact the Services Australia Indigenous Call Centre as the Stolen Wages Information Centre is unable to answer questions about government payments.

### 24. Where can I find further information?

Information and documents about the Stolen Wages class action, scheme and Settlement Distribution Scheme are available on the Stolen Wages website, [www.stolenwages.com.au](http://www.stolenwages.com.au).

If you are a claimant or registered representative, you can also register your email address with the Stolen Wages Information Centre and regular updates will be sent to you. You can contact the Stolen

Wages Information Centre on:

**Phone:** 1300 591 545 (9.00am - 5.00pm weekdays)

**Email:** [stolenwages@au.gt.com](mailto:stolenwages@au.gt.com)

**Fax:** (07) 3222 0447

**Address:** PO Box 7200, CAIRNS QLD 4870.