

# FERRARA, Reece S - Alleged Pheonix set up.

**\*CONFIDENTIAL\***

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Date: Friday, July 23rd, 2021 at 18:59

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My name is Reece Storme Ferrara.

I am a registered Paramedic who became unwell lost my way and was given a second chance to continue in my profession. As it was one of the most precious things to me, getting it back meant that I must pay back the world for that gift with integrity, honour, compassion, respect and perseverance. Since then I have encountered questionable conduct on several occasions by multiple corporations. The corporations are intertwined in the Labour Hire - Resources industries. This is particularly of note as I cite the following:

1. Parliamentary Committees, Inquiry into the practices of the labour hire industry in Queensland - Report No. 25, 55th Parliament, Finance and Administration Committee JUNE 2016
2. Victorian Inquiry into the Labour Hire Industry and Insecure Work Final Report 31 August 2016

Since I only wanted a job I could give my all, in doing so and with integrity, I spoke out when I was told to be quiet because the debt I owe the world exceeds any financial or personal gain. I have now been terminated for reasons that are in contravention of the Fair Work Act on two separate occasions where my performance and reporting of improper conduct remained the same and within professional and legal limits whereby the outcomes remained the same. Dismissal.

Since March I have been preparing and instigating my own applications to the Fair Work Commission, Fair Work Ombudsman and report to ASIC for one particular event where after I realised I had in fact met the criteria for the Whistleblower provision in the Corporations Act. I have no means whatsoever to afford legal representation, as such, I have clocked up approx. 900 hours of study in these areas. I have often been underestimated as appears to be the case for the Corporation of this tip off which I will explain now.

"Pheonixing

A term used to describe the deliberate and systematic liquidation of a corporate trading entity which occurs with the fraudulent or illegal intention to:

- Avoid Tax and other liabilities, such as employee entitlements
- Continue the operation and profit taking of the business through another trading entity

**PriceWaterhouseCooper Commissioned report June 2012 Pg 7**

The purpose is to hide behind the Corporate Veil, sacrificing a particular entity when financial liability is encountered, file for bankruptcy, wind up the entity, sever it from operations then

start up another to replace it whilst the Directors driving the conduct of the entity enjoy no responsibility or accountability jump from each pheonix to the other. It will usually be underfunded and associated with improper conduct.

"Labour hire companies can be established with little capital and begin trading immediately using social media to attract employees and can vanish just as quickly leaving employees out of pocket." ***Inquiry into the practices of the labour hire industry in Queensland - Report No. 25 pg 19.***

These reports appear to describe a recent employer I was unfortunate enough to encounter called:

**Medical Rescue Pty Ltd.**

Current Organisation Details

Name: MEDICAL RESCUE PTY LTD 7E4935703

ACN: 152 849 253

ABN: 97152849253

Registered in: Queensland

Registration date: 24/08/2011

Next review date: 24/08/2021

Name start date: 27/12/2012

Status: Registered

Company type: Australian Proprietary Company

Class: Limited By Shares

Subclass: Proprietary Company

**Relational Extract**

Current Organisation Details

Name: MEDICAL RESCUE PTY LTD

ACN: 152 849 253

ABN: 97152849253

Registered in: Queensland

Registration date: 24/08/2011

Previous Shares/Interests Held

Name: MEDICAL RESCUE TRAINING PTY LTD

ACN: 163 414 426

ABN: 94163414426

Address: 11 Old Ferry Road, BANORA POINT NSW 2486

**Director**

**Name: GLENN JOHN MCKAY 7E9733060**

**Name: MICHAEL ANTHONY SMITH 7E4935707**

**Name: MICHAEL ANTHONY SMITH 7EAX32260**

Previous Organisation Details from 24/08/2011 to 26/12/2012

Name: MEDICAL RESCUE HELICOPTERS AUSTRALIA PTY LTD

1E7688258

Name start: 24/08/2011

This Entity is who I was hired by, the uniform I wore, everything is branded and is the face of my employer.

Through contraventions of The Act, I did not receive a contract or payslips at all until by request much later. To my surprise I see this entity is conveniently responsible for payment of wages etc on the payslips....

Current Organisation Details

Name: 24-7 ASSISTANCE PTY LTD 2E0944761

ACN: 601 532 996  
ABN: 13601532996  
Registered in: Queensland  
Registration date: 29/08/2014  
Next review date: 29/08/2021  
Name start date: 29/08/2014  
Status: Registered  
Company type: Australian Proprietary Company  
Class: Limited By Shares  
Subclass: Proprietary Company

**Director****Name: MICHAEL ANTHONY SMITH 029752917****Name: GLENN JOHN MCKAY 7EAI83038****Relational Company Extract**

Organisation Details Document Number  
Current Organisation Details  
Name: 24-7 ASSISTANCE PTY LTD  
ACN: 601 532 996  
ABN: 13601532996  
Registered in: Queensland  
Registration date: 29/08/2014

As you can see both entities have not declared each other as being related within the context of:

- Companies in which the subject corporation is a member (only the top twenty members),
- Companies for which the subject corporation is the Ultimate Holding Company,
- **Corporations for which the subject corporation is a director,**
- Foreign companies for which the subject company is a local agent,
- Financial Services licences held by the subject company,
- Financial Services representative roles held by the subject company,
- Auditor roles in Financial Services licences held by the subject company,
- Securities dealers licenses held by the subject company,
- Securities investments advisers licenses held by the subject company,
- Futures dealers licenses held by the subject company,
- Futures advisers licenses held by the subject company,
- Managed Investment schemes for which the subject is the responsible entity,
- Asia Region Funds Passport for which the subject is the operator.

As a result of my Witness statement and Statement of Submissions to the Fair Work Commission, the Director Michael Smith has appeared to have fired the law firm representing him and is now presenting to the commission himself without representation.

" Suppose the Respondent wanted to genuinely constrain the Applicant to a fixed short-term, not renewing or not an ongoing employment agreement. In that case, it could have quite easily done so by producing a written employment contract in those terms, have the Applicant consider, agree and sign the contract; hence ambiguity would be removed entirely from the matter." (I never received a contract)

"Mrs/Miss Pitura has extensive experience in human resources as per her witness statement. She also indicates,

"...it is usual practice of mine to be cautious with the words I use both verbally and via email... ..so as to avoid allegations that a binding agreement has been entered into..."

22. The Applicant alleges Mrs/Miss Pitura is well aware of the legislation pertaining to her human resources position for the Respondent. She would also be aware that, for example, if she created a position utilising wording of s386(2) that would mean new and unproven workers could be essentially given a test run with the Respondent. This would occur to the absolute protection of the Respondent being accountable under s386(1) should it decide that they didn't like the new worker for any reason of their choosing because the position was created under the elements of s386(2), they could wait for the time to expire and dismiss the worker without the law seeing it as a dismissal.

23. Then suppose it was extremely difficult to attract new talent because the employment advertising was required to indicate with no uncertainty that the employment engagement was for the time period defined in the advertisement and without any ambiguity whatsoever there was not going to be any chance of continuing to be employed, lest the respondent be vulnerable to s386(3).

24. Since it is extremely rare for the average worker to be knowledgeable about s386 or even the Fair Work Act in general, perhaps she might compromise a little and add a little "potential" or a little "maybe" that the position could be ongoing. But then you would have created just enough ambiguity for the average worker to see the advertisement, gloss over the "immediate short term position" and only really remember the thing they want the most, which is the "potential for ongoing".

**25. When you combine all these elements, you have successfully created a means to operate a business outside the regulation of part of the Fair Work Act 2009 (Cth) and provide itself with the ability to treat new workers how ever the business wanted and in a manner that would continue to maintain its façade of complying with the entire Act.**

30. The Applicant further alleges that the purpose of Mrs/Miss Pitura's motivation to have 24 7 assistance be the company name used in the proceedings is because should the matter progress to conclusion and a judgement was made against the Respondent, 24 7 Assistance would named as the entity with the judgement against it and not Medical Rescue Pty Ltd.

31. As Corporations can be wound up and new corporations be created with little expense and time Medical Rescue Pty Ltd would simply severe 24 7 Assistance from its operations and create another entity to replace it.

32. The ASIC entries for both corporations Medical Rescue Pty Ltd and 24 7 Assistance Pty Ltd do not disclose on the relational extract that they are related entities under the meaning in the Corporations Act.

This is where it gets a little scary for me...

Michael Smith has emailed a lawyer I used my last access to funds to indicate he may change lawyers to Michael Morgan of Kott Gunn Lawyers in Perth.

This firm is the representative to the first employer I encountered in this line of conduct Safety Direct Solutions Pty Ltd.

They were sending Paramedics to the Noble Contracting II GmbH - Noble Tom Prosser Oil Rig This is where I encountered serious neglect of staff health and safety. They are a subsidiary of the Noble Corporation entangled in a web of corporations using Pheonix principals all over the world. Noble Contracting II GmbH I believe is a Pheonix entity which is a branch of the Swiss entity of the same name, yet as above does not indicate any association with any corporations of the Noble Corporation. I have already made a report about them to ASIC.

This is not a joke anymore. People have dismissed me and underestimated me but the evidence just keeps building up and seems to reveal darker and darker behaviour and intent. I now have two companies that it seems will be joining forces against me.

I do not give up. I have a fighting background in Muay Thai and I do not stop unless I cannot physically continue. I do not fight unless I have to or it is to protect the vulnerable and the weak against a Tyrant.

I am facing Tyrants here and I will not stop no matter the detriment to me. I do not care about money either I will not be bought out by them. They must face the law and be judged on the facts that present themselves of their intent, their conduct and their cowardice of hiding in the shadows.

Please where possible some assistance would be nice, unfortunately the legal system if designed for those who can pay for justice. In the absence of finances I will defeat them with sheer will, out work them and expose their conduct in the broader hope of exposing the Labour Hire industry even further and pressuring WA to conduct a licensing scheme like the other states. Vulnerable people are continually being exploited and the Authorities need to do more to stop it.

Regards,



**REECE STORME FERRARA**  
PARAMEDIC      AHPRA REGISTRATION  
BACHELOR HEALTH SCIENCE (PARAMEDIC)  
CERT III EMERGENCY RESPONSE & RESCUE  
CERT IV WORK HEALTH & SAFETY  
NATIONAL DRUG & ALCOHOL SAMPLE COLLECTION  
MEMBER AUSTRALASIAN COLLEGE OF PARAMEDICINE

*"COURAGE IS DOING WHAT YOU ARE  
AFRAID TO DO... THERE CAN BE NO  
NO COURAGE UNLESS YOU ARE SCARED"*

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ASIC 24 7 assisatnce 2.pdf (157.68 KB)



ASIC 24 7 assistance 1.pdf (167.16 KB)



Med Rescue Payslip 001.pdf (141.50 KB)



Med Rescue Payslip 002.pdf (141.53 KB)



Med Rescue Staff Threat.jpg (233.53 KB)



210705 Witness Statement of Sam... (762.07 KB)



ASIC Med Rescue history.pdf (170.18 KB)



FWO Underpayment Calculation (... (246.70 KB)



C2021 3009 Witness Statement (A... (968.16 KB)



C2021 3009 Outline of Submission... (898.06 KB)



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