



ASIC
Australian Securities &
Investments Commission

Committee	Parliamentary Joint Committee on Corporations and Financial Services
Inquiry	Oversight of ASIC, the Takeovers Panel and the Corporations Legislation No.1 of the 46th Parliament
Question No.	007
Date	26 November 2021
Topic	Superannuation fund director and executive conflicts of interest
Reference	Spoken, 26 November 2021, Hansard page 15
Committee member	Senator Bragg

Question

Senator BRAGG: I have questions about super. In last estimates hearings we had a discussion about insider trading matters. I wondered if you could provide an update on exactly how many funds and exactly how many staff are under investigation.

Ms Press: To ensure that I'm completely accurate, I will have to take that on notice in relation to the exact numbers.

Senator BRAGG: Are you taking that on notice?

Ms Press: I am.

Senator BRAGG: So, you don't know how many super funds are under investigation for insider trading?

Ms Press: We looked at 23 super funds. We are further investigating a number of others. You also asked me the number of individuals—

Senator BRAGG: Sorry—

CHAIR: Hang on. Can we let the witness finish? We have an all-day hearing. Senator Bragg wasn't here earlier, but I made it clear to members that I don't want people interrupted. They're not in a court of law; they're here giving evidence. Ms Press, you can continue.

Ms Press: We looked at 23 super funds. We've asked for further information from a number of those. You also asked me how many individuals we looked at or are continuing to look at, and I will have to take the number of individuals on notice.

Answer

ASIC looked at 23 superannuation funds. In response to ASIC's enquiries those funds identified 67 individuals, comprising directors, executives, and related parties who had made a change, including one-off withdrawals or additions, to their investment options between 1 January 2020 to 18 December 2020.

We then reviewed these trades to exclude trades based on a number of criteria such as:

- Trades that did not occur within close proximity to a revaluation of unlisted assets;
- Trades between options that were not referable to unlisted assets;
- Trades by individuals without access to sensitive information; and
- Trades where the individual suffered a financial loss or placed themselves at a disadvantage by switching options.

We then sought additional information in relation to four individuals to obtain further clarity about both the timing of their trades and their access to sensitive information. Our review of that additional information is ongoing.