

Parliamentary Joint Committee on Corporations and Financial Services Inquiry into Corporate Insolvency

CFMMEU Response to Questions Taken on Notice

Regulation of Pre-Insolvency Practitioners

The Chair, Senator Deborah O'Neill, asked the following question:

“CHAIR: I take you to the concerns that you've raised about the absence of regulation around pre-insolvency practitioners? You're not the only one to raise this concern. You've made some points about ASIC very clearly. In your view, who is the regulatory authority that needs to be overseeing pre-insolvency practitioners?”

(p.37 of Hansard from 21st February 2023).

Response

The CFMMEU has not developed a view on what is the appropriate body to regulate pre-insolvency practitioners. What we would say is that there is a need to get the legal framework of regulation right, ensure that the appropriate regulator is properly resourced to carry out the function and that they provide benchmarks for their performance as a regulator.