

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Additional Estimates
2016 - 2017

Division/Agency: Australian Securities and Investment Commission
Question No: 175
Topic: Mortgage lending practices
Reference: Written
Senator: Whish-Wilson, Peter

Question:

In relation to civil proceeding initiated by ASIC against Westpac for a number of contraventions of responsible lending provisions between December 2011 and March 2015:

1. Can ASIC confirm if the beginning of this time period in question is determined by the statute of limitations?

2. Is ASIC aware of any possible breaches before December 2011?

On 10 May 2016, ABC PM reported that Westpac and ANZ had approved home loans based on fraudulent documents, in this case relating to overseas income. It was reported that ASIC had been alerted to this fraud.

3. What was the outcome of this referral?

Answer:

The period of the conduct that is the subject of our action was selected having regard to limitation periods, the efficient conduct of the litigation and other regulatory considerations.

As this matter is before the Courts we are unable to provide any further detail at this time.

Question 3 is answered in the response to QON 182.