

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

2015 - 2016

Department/Agency: ASIC

Question: SBT 573-580

Topic: Grants

Reference: written - 30 October 2015

Senator: Wong, Penny

Question:

Since 1 January 2015:

573. What guidelines are in place to administer grants?
574. How are grants applied for?
575. Are there any restrictions on who can apply for a grant? If yes, please detail.
 - a) Can these restrictions be waived? If yes, please detail the process for waving them and list any grants where the restrictions were waived.
576. What is the procedure for selecting who will be awarded a grant?
577. Who is involved in this selection process?
578. Does the minister or the minister's office play any role in awarding grants? If yes, please detail.
 - a) Has the minister or the minister's office exercised or attempted to exercise any influence over the awarding of any grants? If yes, please detail.
579. Provide a list of all grants, including ad hoc, one-off discretionary grants awarded to date. Provide the recipients, amount, intended use of the grants, what locations have benefited from the grants and the electorate and state of those locations.
580. Update the status of each grant that was approved prior to the specified period, but did not have financial contracts in place at that time. Provide details of the recipients, the amount, the intended use of the grants, what locations have benefited from the grants and the electorate and state of those grants.

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Answer:

573. ASIC administers the Assetless Administration Fund ("AAF"), which is a discretionary grant scheme. Guidelines in place to administer grants are set out in Regulatory Guide 109 'Assetless Administration Fund' and Regulatory Guide 242 'ASIC's power to wind up abandoned companies'.

RG 109:

<http://www.asic.gov.au/asic/asic.nsf/byheadline/RG109>

RG 242:

[http://www.asic.gov.au/asic/pdflib.nsf/LookupByFileName/rg242-published-25-January-2013.pdf/\\$file/rg242-published-25-January-2013.pdf](http://www.asic.gov.au/asic/pdflib.nsf/LookupByFileName/rg242-published-25-January-2013.pdf/$file/rg242-published-25-January-2013.pdf)

574. Details on how to apply for AAF grants are set out in Regulatory Guide 109. Applications for AAF grants are lodged via the ASIC portal.

575. Recipients eligible to receive funding are Registered Liquidators (RLs) of companies in Liquidation. Eligible RLs are funded for the purpose of undertaking preliminary investigations and preparing reports into the failure of companies with few or no assets, where it appears to ASIC that enforcement action may result from the investigation and report.

The AAF also provides funding to RLs arising from the winding up of companies under Pt 5.4C of the Corporations Act. It may also finance actions by RLs to recover assets in certain circumstances.

576. The application must meet the AAF criteria set out in Regulatory Guide 109 (RG109). If the application meets the requirements/funding criteria via the assessment processes, funding will be approved.

577. Two stakeholder teams within ASIC are responsible for the funding decisions.

578. No.

579. A list of all grants awarded since 1 January 2015 can be found at:

<http://download.asic.gov.au/media/3438557/assetless-admin-fund-grant-reporting->

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580. All grants reported have a funding agreement in place. They will be successful in receiving a payment on the basis that the report is of good quality and represents the requirements as per the funding agreement.