

**SENATE STANDING COMMITTEE ON ECONOMICS QUESTION**  
**(Supplementary Budget Estimates 20 October – 21 October)**

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Question: SBT 192

Topic: Coercive powers (AGIS)

Senator Bushby asked:

**Senator BUSHBY**—Are you aware of the Australian Government Investigation Standards?

**Mr D'Aloisio**—In terms of the model litigant and the way we do things? Yes.

**Senator BUSHBY**—The Australian Government Investigation Standards are a set of best practice standards for all investigations of offences under Commonwealth legislation.

**Mr D'Aloisio**—Yes, we are aware of those and they are incorporated into our manuals. I am personally not able to answer questions specifically on those standards, but they are covered in our enforcement manuals.

**Senator BUSHBY**—So the standards that they contain would be complied with and followed by ASIC?

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**Mr D'Aloisio**—I think they would, but I am happy to take that on notice and check it more specifically for you.

**Senator BUSHBY**—I do not know that it is necessary a requirement, but it is a set of best practice standards. So could you take on notice the extent to which you enforce the use of and train investigators in the use of the AGIS.

**Mr D'Aloisio**—I am happy to do that.

**Answer:**

The Australian Government Investigation Standards Package (AGIS) applies directly to investigation of allegations of fraud on the Commonwealth, and may also be used for investigations of any offence under Commonwealth legislation. The AGIS therefore does not apply directly to ASIC investigations, although it does propose a set of best practice principles.

In 2008, ASIC conducted a preliminary review of whether we complied with the AGIS in our regulatory investigations. The preliminary review found that our processes and procedures were well above the standards set in the AGIS.

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