

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

19 – 20 October 2011

Question No: SBT 525 - 531

Topic: APRA Code of Conduct

Hansard Page: Written

Senator Bushy asked:

525. When did APRA last review its APRA Code of Conduct?
526. Does APRA report on its code of conduct in annual reports to Parliament?
- a) If not, would APRA be prepared to provide such information to Parliament?
527. Could APRA provide the Committee with details of:
- a) How many times in the last year was the Code discussed at an APRA (formal and minuted meeting of APRA members meeting?)
- b) How many complaints were lodged with APRA pursuant to the APRA code for each of the past five years?
- c) How many internal investigations have been conducted under the code?
- d) What sanctions have been imposed?
528. How many disclosures of conflicts of interest have been made under the code over the past five years?
529. Which APRA executive is responsible for the operation of the code?
530. Has APRA considered public disclosure of material interests which are referred to in the code and could APRA provide the committee with the advantages and disadvantages of such an initiative?
531. How many APRA staff have submitted details of their interests under the following provision:[You will be required to submit annually a summary statement of any direct security holdings, and those of your immediate family. Senior management will review these statements. Management may request an updated statement at any time.]

Answer:

525. Pursuant to Section 48AC of the *Australian Prudential Regulation Authority Act (1998)* (APRA Act) the Chair of APRA determines the APRA Code of Conduct that applies to APRA members and staff appointed under section 45 of the APRA Act. The last formal determination was made in September 2008.
526. No, the APRA Act does not require reports to Parliament.
- a) APRA ensures that it meets its statutory reporting obligations to the Parliament.
527. a) APRA members meeting formally discuss disclosures of interest at least once each year.
- b) Nil for each year.
- c) There have been no formal investigations pursuant to APRA's Code of Conduct for the period since the appointment of the APRA Members in July 2003.
- d) Not applicable.
528. and 531. Every APRA staff member is required to submit at least one disclosure of interest of equities held in APRA-regulated entities annually. In certain circumstances, contractors or consultants may also be required to submit their disclosures of interest.
529. The General Manager Human Resources is responsible for the Code of Conduct and the Secretary of APRA is responsible for administering the process of disclosures of interest.
530. The APRA Act provides for the disclosure of interests by APRA members to each other and, in certain circumstances, to the Minister. APRA's Code of Conduct sets out the disclosure requirements for APRA staff. Public disclosure of material interests to the Committee would constitute an unreasonable intrusion into the personal affairs of APRA staff and members and is likely to act as a deterrent to the recruitment of skilled staff.