

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

19 – 20 October 2011

Question No: SBT 823

Topic: Enforcement actions

Hansard Page: Thursday 20 October 2011, Page 74-75

Senator Bushby asked:

Senator BUSHBY: How do you classify your enforcement actions?

Mr Jones: There would be enforcement actions that might be taken via a court process; there may be enforcement actions that may be taken via negotiation. For example, enforceable undertakings are done via a negotiated process, so we talk about all of our enforcement activities and we list those enforcement activities—as I said, again as documented in the annual report—and we classify them according to certain categories. Some of them would be court based processes; others would be via enforceable undertakings; others can be via conditions on licenses and so on. There are a range of mechanisms by which we would classify them.

Senator BUSHBY: It sounds like you do have that information and that you do classify it. I am happy for you to take it on notice and provide that to the committee?

Mr Jones: This is what I am talking about in this table.

Senator BUSHBY: But that is how many you have undertaken; I am interested in how many are current.

Mr Jones: How many we have right now?

Senator BUSHBY: Yes.

Mr Jones: Yes, we can do that.

Senator BUSHBY: Thank you.

Mr Jones: Under each of those categories?

Senator BUSHBY: Particularly in relation to superannuation.

Mr Jones: Each of those categories in relation to superannuation?

Senator BUSHBY: Yes. I know you already have there general insurance, life insurance, friendly societies et cetera, but I am particularly interested in superannuation.

Mr Jones: Yes.

Dr Laker: Senator, that table will be updated in our annual report for this year which we will be tabling shortly.

Senator BUSHBY: Thank you. Is there a date when that is due?

Dr Laker: We have an obligation to provide it to the minister, and on the table and process it is in the minister's hands.

Senator Sherry: Presumably taking on notice your question would go including the breakdown of the aggregate data which we have been discussing and which will be released, and then—

Senator BUSHBY: We have an updated table. I would be interested in that, but I am interested also in what is live at the moment as well.

Mr Jones: Of course, the thing with enforcement is that what we may describe as currently live can actually go back many years.

Senator BUSHBY: Absolutely, and some of these things take a while to resolve.

Answer:

823. APRA's Annual Report 2010-11 at page 33 reports on enforcement actions taken during the financial year.

There are two current matters related to superannuation funds in which APRA is exercising its formal enforcement powers.