

Inquiry into agribusiness managed investment schemes

Terms of reference

Inquiry into agribusiness managed investment schemes

Having regard to the recent collapses of Timbercorp and Great Southern, the Committee will inquire into and report by 7 September 2009 on agribusiness managed investment schemes (MIS), with particular reference to:

1. business models and scheme structures of MIS;
2. the impact of past and present taxation treatments and rulings related to MIS;
3. any conflicts of interest for the board members and other directors;
4. commissions, fees and other remuneration paid to marketers, distributors, related entities and sellers of MIS to investors (including accountants and financial advisers);
5. the accuracy of promotional material for MIS, particularly information relating to claimed benefits and returns (including carbon offsets);
6. the range of individuals and organisations involved with the schemes, including the holders of the relevant Australian Financial Services Licence;
7. the level of consumer education and understanding of these schemes;
8. the performance of the schemes;
9. the factors underlying the recent scheme collapses;
10. the projected returns and supporting information, including assumptions on product price and demand;
11. the impact of MIS on other related markets; and
12. the need for any legislative or regulatory change.

Making a submission

The Committee will report its findings to Parliament by 7 September 2009. Written submissions to the inquiry close on **26 June 2009**.

Please send written submissions to corporations_joint@aph.gov.au or by post to:

Committee Secretary, Parliamentary Joint Committee on Corporations and Financial Services
Department of the Senate

PO Box 6100 Parliament House
Canberra ACT 2600

Emailed submissions should include full name, address and phone contact details so we can contact you if necessary. Similarly, please include your full contact details with any hard copy submission that you send in. **It assists the Secretariat greatly if you include these contact details on a separate cover sheet, rather than in the body of the submission which will be published.**

There is no set format for submissions. The only requirement is that your submission is relevant to, and addresses at least one of, the inquiry's terms of reference. The committee may decide not to receive a submission if it does not meet this requirement.

Please do not release your submission elsewhere until you have received a **formal** acknowledgment letter from the Secretariat. Once the Committee receives your submission, it becomes a Committee document and is protected by Parliamentary privilege. However, if you release your submission without the Committee's permission and/or before the Committee has formally received it, you will not be protected by Parliamentary privilege. For more information about Parliamentary privilege, see <http://www.aph.gov.au/senate/pubs/briefs/brief11.htm>

Publication of submissions

The Committee routinely makes submissions public during the inquiry, **including by posting them on the internet**. However, the Committee will consider requests to keep a submission confidential. **Please indicate very clearly on your submission if you want it to be kept confidential**. It is helpful to the Committee's considerations if you also provide a brief reason for this request.

Adverse comment in submissions

Please be aware that, if your submission reflects adversely on another person (for example, accusing them of lying or corrupt behaviour) or organisation, the committee will send the comment to the other person so they can reply. This may apply even if the committee agrees to keep your submission confidential.

Further information about making submissions is at http://www.aph.gov.au/Senate/committee/wit_sub/index.htm

Public hearings

Information about public hearing dates and venues will be posted on the inquiry web site as it becomes available. Hansard transcripts of completed hearings will also be available after the event.

The committee currently intends to hold a public hearing for this inquiry in Canberra on 15 July 2009.

The committee, through the Secretariat, will issue invitations to prospective witnesses on the basis of written submissions received. Although only invited witnesses will have the opportunity to make verbal presentations to the committee and answer the committee's questions, anyone with an interest in the inquiry can attend and observe the hearings.

The reporting process

As specified in the inquiry terms of reference, the Committee will report to Parliament by 7 September 2009. A written report, including any recommendations that arise out of the committee's inquiry and findings, will be presented ('tabled') in both houses of Parliament. The report will be made available to the public via the inquiry web site on the same day that it is tabled. It will then be a matter for the Government to respond to. Any written response from the Government will be linked to the inquiry web site once it becomes available.

Further information

If you have questions about the inquiry that are not addressed by the above material, please contact the Secretariat:

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