

# Australian credit licence annual compliance certificate

---

## Details of credit licensee

Credit licence number

**403125**

Credit licensee name

**BETTER LENDING PTY LTD**

---

## Annual compliance date

Annual compliance date

**25-05-2020**

---

## Contact details

Given names

**Andrew**

Family name

**MALECKI**

Postal address

**s 47F**

Email address

**ANDREW@BETTERLENDING.COM.AU**

Telephone

Number **08 8426 7450**

Fax

Number **08 8426751**  
Comments **NO LONGER HAVE A FAX SERVICE**

## Details in Australian Credit Register

---

Are all the details in relation to the licensee's Australian credit licence that are entered in the Australian Credit Register correct?

**Yes**

---

## Details of business activities

---

What activities best describe the licensee's business during the 12 month period before the annual compliance date?

**finance broker**  
**mortgage broker**  
**mortgage manager**  
**other lender**

What types of credit contracts or consumer leases has the licensee dealt with as part of its business during the 12 month period before the annual compliance date?

**home loans (first mortgage)**  
**home loans (subsequent mortgage)**  
**vehicle loans**  
**other personal loans**  
**small amount loans**  
**medium amount loans**

---

## Details of credit activities

---

In the 12 month period before the annual compliance date, did the licensee engage in credit activities as an original credit provider or lessor?

**Yes**

Which of the following best describes the licensee's principal distribution model?

**employee sales representative/s**

In the 12 month period before the annual compliance date, how did the licensee receive most applications for credit or consumer leases?

**other**

In the 12 month period before the annual compliance date, did the licensee cross-sell financial products, other than credit contracts or consumer leases, to its client base or refer its clients to issuers of other financial products?

**No**

---

---

## Details of credit intermediary activities

---

In the 12 month period before the annual compliance date, did the licensee act as an intermediary between a credit provider or lessor and a consumer for the purpose of securing credit or a consumer lease for the consumer?

**Yes**

Which of the following best describes the licensee's principal distribution model?

**employee sales representative/s**

In the 12 month period before the annual compliance date, how did the licensee arrange most applications for credit or consumer leases?

**other**

In the 12 month period before the annual compliance date, did the licensee cross-sell financial products, other than credit contracts or consumer leases, to its client base or refer its clients to issuers of other financial products?

**No**

---

## Representatives

---

How many representatives engaging in credit activities did the licensee have as at the annual compliance date?

**1**

Are the details of the licensee's authorised credit representatives (if any) entered in the Australian Credit Register complete, accurate and up-to-date?

**Yes**

---

## Fit and proper people

---

### List of fit and proper people a

### pliance date

*Family name, given name(s)*

*Responsible manager*

MALECKI, ANDREW MICHAEL  
CHARLES

s 47F

Yes

---

## Certification for fit and proper people

---

### Licences, Authorisations

Does the licensee certify that it has no reason to believe that any of its fit and proper people have:

- been refused the right or been restricted in the right to carry on any trade, business or profession for which an authorisation (licence, certificate, registration or other authority) is required by law?

**Yes**

- been subject to disciplinary action in relation to any such authorisation?

**Yes**

- within Australia or overseas been the subject of any investigations or proceedings that are current or pending and which may result in disciplinary action being taken in relation to any such authorisation?

**Yes**

- within Australia or overseas been engaged in the management of any companies/businesses that have had a Corporations Act 2001 (or previous corresponding laws) licence or an Australian credit licence cancelled?

**Yes**

### Professional Memberships, Accreditation and Indemnity Insurance

Does the licensee certify that it has no reason to believe that any of its fit and proper people have:

- within Australia or overseas, been reprimanded, or disqualified or removed, by a professional or regulatory body or external dispute resolution scheme in relation to matters relating to their honesty, integrity or business conduct?

**Yes**

- within Australia or overseas, had a claim made against a professional indemnity insurance policy in relation to advice they tendered?

**Yes**

- within Australia or overseas, been refused professional indemnity insurance?

**Yes**

- within Australia or overseas, been denied accreditation, or had accreditation cancelled or suspended, by a lender, mortgage manager or mortgage insurer, other than for volume reasons, or had their membership with an aggregator or franchise group terminated, or is similar action pending against them?

**Yes**

### Names

Does the licensee certify that it has no reason to believe that any of its fit and proper people have within Australia or overseas, carried on business under any name other than the name or names shown in this certificate?

**Yes**

**Offences**

Does the licensee certify that it has no reason to believe that any of its fit and proper people have within Australia or overseas, been the subject of administrative, civil or criminal proceedings or enforcement action, which were determined adversely to them (including by consenting to an order or direction, or giving an undertaking not to engage in unlawful or improper conduct) in any country?

**Yes**

**Solvency**

Does the licensee certify that it has no reason to believe that any of its fit and proper people have:

- within Australia or overseas, been declared bankrupt or insolvent under administration and no such action pending?

**Yes**

- within Australia or overseas, been engaged in the management of any companies/businesses that have had an external administrator appointed or which have entered a compromise or scheme of arrangement with its creditors?

**Yes**

- within Australia or overseas, been engaged in the management of any companies/businesses that were declared insolvent?

**Yes**

- within Australia or overseas, been engaged in the management of any companies/businesses that were declared the equivalent of insolvent under the law of an external territory or country other than Australia?

**Yes**

---

## Certification of ongoing compliance with licence obligations

---

### **Efficiently, honestly and fairly**

As at the annual compliance date, did the licensee have adequate arrangement and systems in place to ensure that it did all things necessary to ensure that the credit activities authorised by its licence were engaged in efficiently, honestly and fairly?

**Yes**

### **Conflict of interest**

As at the annual compliance date, did the licensee have adequate arrangements and systems in place to ensure that its clients were not disadvantaged by any conflicts of interest that arose wholly or partly in relation to the credit activities engaged in by the licensee or its representatives?

**Yes**

### **Licence conditions**

As at the annual compliance date, did the licensee have adequate arrangements and systems in place to ensure that it complied with the conditions of its licence?

**Yes**

### **Credit legislation**

As at the annual compliance date, did the licensee have adequate arrangements and systems in place to ensure that it complied with the credit legislation?

**Yes**

### **Representatives**

As at the annual compliance date, did the licensee have adequate arrangements and systems in place to ensure that its representatives complied with the credit legislation?

**Yes**

### **Maintain competence**

As at the annual compliance date, did the licensee have adequate arrangements and systems in place to maintain the competence to engage in the credit activities authorised by its licence?

**Yes**

### **Training**

As at the annual compliance date, did the licensee have adequate arrangements and systems in place to ensure that its representatives were adequately trained and competent, to engage in the credit activities authorised by its licence?

**Yes**

### **Internal dispute resolution**

As at the annual compliance date, did the licensee have an internal dispute resolution procedure:

- (i) compliant with the standards and requirements set out in ASIC Class Order [CO 10/250] Internal dispute resolution procedures (credit); and
- (ii) covering disputes in relation to the credit activities engaged in by the licensee or its representatives?

**Yes**

### **External dispute resolution**

During the 12 month period before the annual compliance date, was the licensee a member of an approved external dispute resolution scheme or the Australian Financial Complaints Authority (AFCA)?

**Yes**

### **Compensation arrangements**

During the 12 month period before the annual compliance date, did the licensee have adequate compensation arrangements in place in accordance with s48 of the National Consumer Credit Protection Act 2009

**Yes**

During the 12 month period before the annual compliance date, did the licensee have professional indemnity insurance that complied with ASIC's policy on compensation and insurance arrangements for Australian credit licensees?

**Yes**

### **Documentation**

As at the annual compliance date, did the licensee have a written plan that documented arrangements and systems for compliance with each of its general conduct obligations?

**Yes**

### **Resources**

As at the annual compliance date, did the licensee have available adequate resources (including financial, technological and human resources) to engage in the credit activities authorised by its licence and to carry out supervisory arrangements?

**Yes**

### **Risk management**

As at the annual compliance date, did the licensee have adequate risk management systems?

**Yes**

---

## Trust money

---

During its last financial year, did the licensee receive money for or on behalf of another person in the course of providing credit services?

**Yes**

During its current financial year, did the licensee receive money for or on behalf of another person in the course of providing credit services?

**Yes**

---

## Trust money – last financial year

---

On what date does the licensee's last financial year end?

**30/06**

Has the licensee lodged a trust account statement and a trust account audit report in compliance with s100 of the National Consumer Credit Protection Act 2009?

**Not yet required**

If no or not yet required, has the licensee appointed an auditor to prepare a trust account audit report?

**Yes**

If yes, provide the auditor's ASIC registered auditor number

**315290**

---

## Trust money – current financial year

---

On what date does the licensee's current financial year end?

**30/06**

Has the licensee appointed an auditor to prepare a trust account audit report?

**Yes**

If yes, provide the auditor's ASIC registered auditor number

**315290**

---

## Dispute resolution and compensation activity

---

### Volume of accounts

Provide the total number of accounts the licensee had on the first day of the 12 month period before the annual compliance date:

**55**

### Volume of internal dispute resolution activity

How many disputes in relation to the credit activities engaged in by the licensee or its representatives were received by the licensee through its internal dispute resolution system during the 12 month period before the annual compliance date?

**0**

### Compensation Activity

Did the licensee conduct any voluntary, proactive compensation programs during the 12 month period before the annual compliance date? (For example, refund of fees or charges incorrectly levied through a systems error.)

**No**

---

## Annual compliance certificate

---

As part of your annual compliance certificate, you must determine the following:

1. the total amount of credit advanced by the licensee in the preceding financial year;
2. the total amount of credit, or the total amount of rent payable by consumers under consumer leases, assigned to the licensee in the preceding financial year
3. the total value of credit in applications submitted by the licensee to credit providers; and credit intermediaries in the preceding financial year which have resulted in a loan being made
4. the total amount of rent payable by consumers under consumer leases entered into by the licensee in the preceding financial year
5. The total amount of rent payable by consumers under consumer leases submitted by the licensee to lessors in the preceding financial year which have resulted in a consumer lease being made

the total amount of rent payable by consumers under consumer leases submitted by the licensee to lessors in the preceding financial year which have resulted in a consumer lease being made

Indicate the range in which the sum of the five amounts falls.

**Less than \$100 million and the licensee is a 'sole trader'**

---

## Declaration

---

### The licensee declares that:

- this form is submitted under, and is compliant with, the terms and conditions of the ASIC Electronic Lodgement Protocol, including that a signed copy of this application will be maintained by the licensee in accordance with the protocol, and
- to the best of its knowledge, the information supplied in this certificate is complete and accurate (it is an offence to provide false or misleading information to ASIC).

Are you a lodging agent preparing and submitting this certificate on behalf of the licensee?

**No**

### The licensee acknowledges that:

- ASIC may take action to verify the information provided in this certificate.

### Where the licensee:

(a) is a credit provider, lessor, mortgagee or beneficiary of a guarantee in relation to a contract (the carried over instrument) or other instrument (the carried over instrument) immediately before 1 July 2010 that was:

- (i) in force at that time; and
- (ii) subject to the old Credit Code (the Uniform Consumer Credit Code) at that time; and

(b) engaged in a credit activity in relation to the carried over instrument in the 12 month period before the annual compliance date, this certificate relates to the credit activities mentioned in paragraph (a).

---

Name

**Andrew Michael Charles Malecki**

Capacity

**Director**

Signature

---

Date signed

**09-07-2020**

---

#### For more help or information

Web [www.asic.gov.au](http://www.asic.gov.au)  
Ask a question? [www.asic.gov.au/question](http://www.asic.gov.au/question)  
Telephone 1300 300 630