



# Australian Credit Licence - Application for approval from ASIC to resign as a trust account auditor

Refer to Australian Securities and Investments Commission (ASIC) Regulatory Guide 26 and the attached Guide before completing this form.  
If there is insufficient space in any section of the form, you may submit additional copies of the relevant page(s) as part of this lodgement.

## Lodgement details

Who should ASIC contact if there is a query about this form?

ASIC registered agent number (if applicable)

Firm/organisation

Contact name/position description

Telephone number

Email Address

Postal address

Suburb/City

State/Territory

Postcode

## Australian Credit Licence details

Credit licence number

Name of credit licensee

## 1 Auditor details

ASIC registered company auditor number (for individual auditor or authorised audit company)

Family name

Given name/s

OR

Authorised audit company name

ACN/ABN

Street number and Street name or PO Box

Suburb/City

State/Territory

Postcode

Country (if not Australia)

## 2 Statement by trust account auditor

You must declare that the following statements are true for the auditor after making proper enquiries.

You must be authorised to sign on behalf of the authorised audit company.

### Declaration

I apply for ASIC's consent to resign as trust account auditor of the above named Australian credit licensee and declare that, other than stated in an annexure to this application:

- all matters that require reporting by me to ASIC under all relevant legislative requirements (ie section 104 matters under the National Consumer Credit Protection Act 2009, section 311 for all companies under the Corporations Act 2001, and s990K of the Corporations Act 2001 for an Australian financial services licensee) have been reported to ASIC at the date of this application and any further such matters which come to my attention before resignation will be reported to ASIC.
- there are no disagreements with the Australian credit licensee (as defined in RG 26).
- there is no evidence of opinion shopping (as defined in RG 26).
- there are no circumstances or matters connected with my ceasing to hold office which should be brought to ASIC's attention.
- there are no reasons that give rise to an inability to complete any audit under the Corporations Act 2001 or the National Consumer Credit Protection Regulations 2010.
- I have notified the Australian credit licensee in writing of my intention to seek ASIC consent to resign as the trust account auditor.

### Reason for resignation

Tick one box only

The reasons for applying for approval to resign as auditor are set out:

below

in an annexure marked  (indicate identifying letter or symbol used to mark annexure)

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## 3 Additional information

The credit licensee's resolution will be a resolution of: the directors or members of a body corporate, the partners of a partnership, natural person trustees of a trust or an individual who is the licensee, whichever is applicable.

Confirmation in writing from the credit licensee is to be signed by: a director or secretary of a body corporate, the partner of a partnership, natural person trustee of a trust or an individual who is the licensee, whichever is applicable.

I attach the following information in annexure marked  of  pages.

- a signed copy of the resolution of the credit licensee, appointing a replacement auditor subject to ASIC's approval of the resignation;
- confirmation in writing from the proposed replacement auditor stating that they are prepared to accept the appointment subject to ASIC's approval of the resignation and, if the change is close to the reporting deadline, they have the ability to conduct an effective audit before the reporting deadline.
- confirmation in writing from the credit licensee that:
  - there are no disagreements between the auditor and the credit licensee (as defined in RG 26).
  - there are no reasons that give rise to an inability to complete any audit under the Corporations Act 2001 or the National Consumer Credit Protection Regulations 2010.

## 4 Timing of resignation

Provide the following information as to the timing of your resignation:

- set out details of the timing of the proposed resignation, including any impact on the effectiveness of the audit process, below or in annexure to this form:

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- indicate below whether you have within the two most recent financial years and any subsequent interim period provided an adverse or disclaimer opinion or qualification:

Yes  No

### Other applications

I have also submitted an application to resign (tick if applicable):

as auditor of this public company that holds an Australian credit licence.

as auditor for the Australian financial services licence that this Australian credit licensee holds.

## Signature

This form must be signed by:

- the individual auditor; or
- where the auditor is an authorised audit company, a current director.

To the best of my knowledge, the information in this form and annexures is true and complete (it is an offence to provide false or misleading information to ASIC).

Name

Signature

Capacity

Auditor

Authorised audit company director

Date signed

/   /    
[D] [D] [M] [M] [Y] [Y]

## Lodgement

How to send completed and signed forms to ASIC:

- Scan form and email to [creditlicensing@asic.gov.au](mailto:creditlicensing@asic.gov.au)
- Mail to:  
Australian Securities and Investments Commission,  
PO Box 4000, Gippsland Mail Centre VIC 3841.

### For more information

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

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If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement.

<b>Signature</b>	This form must be signed by: <ul style="list-style-type: none"><li>• the individual auditor; or</li><li>• where the auditor is an authorised audit company, a current director.</li></ul>
<b>Lodging period</b>	Application should be lodged at least 3 weeks prior to the proposed timing of the auditor's resignation.
<b>Lodgement fees</b>	Nil.
<b>Timing</b>	ASIC's approval to an auditor's resignation cannot be backdated. The resignation can only take effect on the day that ASIC grants its approval or on a later date set by ASIC. Do not proceed on the assumption that ASIC's approval will automatically be granted. If ASIC does not approve the resignation, the existing auditor will continue to hold office.
<b>Procedure</b>	Send the form and required annexures by email to <a href="mailto:creditlicensing@asic.gov.au">creditlicensing@asic.gov.au</a> , or by mail to: Australian Securities & Investments Commission PO Box 4000 Gippsland Mail Centre VIC 3841  ASIC will advise the auditor and the credit licensee in writing of the result of the application. If ASIC approves the resignation, the licensee must appoint a replacement trust account auditor, if this has not already occurred, within 28 days after the cessation of the auditor takes effect. The licensee must lodge a Form CL16 <i>Australian Credit Licence – Notification of appointment of a trust account auditor</i> within 14 days after appointing the replacement auditor.  If the credit licensee is an Australian financial services licensee and is not a public company, the auditor should apply for consent to resign using Form FS08 <i>Application for consent from ASIC to resign as an auditor of an Australian financial services licensee</i> .  If the credit licensee is an Australian financial services licensee and <u>is</u> a public company, refer to RG 26.78 Note 1 for further details on resigning as auditor.
<b>Further guidance</b>	Refer to Regulatory Guide 26 <i>Resignation, removal and replacement of auditors</i> (RG 26) for more information on resigning as a trust account auditor of a credit licensee. RG 26 is available at <a href="http://www.asic.gov.au/rg">www.asic.gov.au/rg</a> .

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## How to provide additional information

### Annexures

You may submit annexures as part of this lodgement. To make any annexure conform to the regulations, you must:

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the company name and ACN or ARBN
3. number the pages consecutively
4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5. mark the annexure with an identifying letter or symbol eg a,b,c or 1,2,3 etc.
6. endorse the annexure with the words:

*This annexure (mark) of (number) pages referred to in form (form number and title)*

7. sign and date the annexure

The annexure must be signed by the same person(s) who signed the form.

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## Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy ([www.asic.gov.au/privacy](http://www.asic.gov.au/privacy)) for information about how we handle your personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.

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### For more information

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