



Application for consent from ASIC to resign as an auditor of an Australian financial services licensee

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 copy the relevant page(s) and submit as part of this lodgement.

AFS licence details

AFS licence number

AFS licence name

Office, unit, level, or PO Box number

Street number and Street name

Suburb/City

State/Territory

Postcode

Country (if not Australia)

Lodgement details

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

Firm/organisation

Contact name/position description

ASIC registered agent number (if applicable)

Telephone number (during business hours)

Email Address

Postal address

Suburb/City

State/Territory

Postcode

1 Auditor details

Tick one box

Indicate type of auditor resigning

ASIC registered company auditor
complete **Section 1**

OR

Firm of auditors
complete **Section 2**

1 Continued... Auditor details

Complete either Section 1 or Section 2 and then provide address

Section 1

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

Family name

Given names

OR

Authorised audit company name

ACN/ABN

Section 2

Name of firm

ABN

Address

Office, unit, level, or PO Box number

Street number and Street name

Suburb/City

State/Territory

Postcode

Country (if not Australia)

Provide for individual auditor, company or firm

2 Statement by financial services licence 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 audit firm or authorised audit company.

Declaration

I apply for ASIC consent to resign as auditor of the above named Australian financial services 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 990K, section 311 for all companies under the Corporations Act 2001, and section 104 matters under the National Consumer Credit Protection Act 2009) 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 financial services 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 financial services licensee in writing of my intention to seek ASIC consent to resign as auditor.

Reasons 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)

3 Additional information

The Australian financial services 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 Australian financial services 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 Australian financial services licensee, approving the appointment of the proposed auditor, subject to ASIC's consent to the resignation.
- confirmation in writing from the proposed replacement auditor stating that they are prepared to accept the appointment subject to ASIC's consent to 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 Australian financial services licensee that:
 - there are no disagreements between the auditor and the Australian financial services licensee (as defined in RG 26).
 - there are no reasons that give rise to an inability to complete the 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:

- 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

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

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

Other applications

Signature

This form must be signed by:

- the individual auditor; or
- if the auditor is a firm, by an ASIC registered company auditor of the firm; or
- in the case of an authorised audit company, by 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

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au
Need help? www.asic.gov.au/question
Telephone 1300 300 630

Guide:

Application for consent from ASIC to resign as an auditor of an Australian financial services licensee

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.

Signature	This form must be signed by: <ul style="list-style-type: none">• the individual auditor; or• if the auditor is a firm, by an ASIC registered company auditor of the firm; or• in the case of an authorised audit company, by a current director.
Lodgement period	Application should be lodged at least 3 weeks prior to the date the resignation is to take effect.
Lodgement fees	Nil.
When to use this form	<p>This form should only be used where the Australian financial services licensee is an individual, a partnership, a non-corporate trustee, foreign company or a proprietary company.</p> <p>A Form 342 <i>Application for consent from ASIC to resign as auditor of a public company</i> should be used to apply if the Australian financial services licensee is a public company.</p> <p>Refer to Regulatory Guide 26 <i>Resignation, removal and replacement of auditors</i> (RG 26) for more information on resigning as an auditor of an Australian financial services licensee. RG 26 is available at www.asic.gov.au/rg.</p>
Timing	<p>ASIC's consent to an auditor's resignation cannot be backdated. The resignation can only take effect on the day that ASIC grants its consent or on a later date set by ASIC.</p> <p>Do not proceed on the assumption that ASIC consent will automatically be granted.</p> <p>If ASIC does not grant its consent to the resignation, the applicant will continue to hold office as the licensee's auditor.</p>

Procedure

Send the form and any annexures required to:
Australian Securities & Investments Commission
PO Box 4000
Gippsland Mail Centre VIC 3841

The auditor is required by s990G(1)(a) to advise the licensee in writing that the application has been made.

ASIC will advise the auditor and the licensee in writing of the result of the application.

If ASIC's consent has been given, the auditor is then required by s990G(1) to give written notice of their resignation to the licensee. This notice cannot be given to the licensee until after ASIC's consent has been received.

Within 14 days after the resignation takes effect, the licensee must appoint another auditor if this has not already occurred and lodge written notice specifying the name of the person or firm appointed and the date of their appointment. Form FS06 *Appointment of an auditor of an Australian financial services licensee* is the approved form for this purpose; it can be lodged online through the AFS licensee portal at www.asic.gov.au.

If the Australian financial services licensee is a credit licensee and maintains one or more trust accounts, the auditor should apply for approval to resign using Form CL18 *Australian Credit Licence - Application for approval from ASIC to resign as a trust account auditor*.

When a Form 315 is required to be lodged –

A Form 315 *Notification of resignation, removal or cessation of auditor* is not required to be lodged if the licensee is an individual, a partnership or a non-corporate trustee.

If the licensee is a proprietary company and the auditor is appointed in accordance with both s325 and 990B, a Form 315 must also be lodged by the company within 14 days after the company receives the notice of resignation from the auditor.

If the licensee is a proprietary company and the auditor is only appointed in accordance with s990B, a Form 315 is not required to be lodged by the company.

How to provide additional information

Annexures

You may alternately 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.

Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy (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.

Lodgement

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Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

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