



# Australian Credit Licence - Application for approval from ASIC to replace 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

Details of trust account auditor being replaced

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

Family name

Given name

or

Authorised audit company name

ACN/ABN

Address

Street number and Street name or PO Box

Suburb/City

State/Territory

Postcode

Country (if not Australia)



### 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.

- I attach the following information in annexure marked  of  pages.
- a signed copy of a resolution of the credit licensee approving the appointment of the incoming trust account auditor, subject to ASIC's approval to the replacement;
  - a statement in writing from the outgoing auditor that:
    - all matters that require reporting by the auditor 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 their attention before the auditor's replacement will be reported to ASIC.
    - there are no disagreements between the auditor and 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 the auditor 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.
  - confirmation in writing from the proposed replacement auditor stating that they are prepared to accept the appointment subject to ASIC's approval to the replacement and, if the change is close to the reporting deadline, they have the ability to conduct an effective audit before the reporting deadline

### Signature

Refer to Guide for details on eligible signatories.

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

Capacity

- director
- secretary
- partner
- trustee
- natural person licensee
- local agent
- other, please specify

Signature

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

# Guide: Australian Credit Licence - Application for approval from ASIC to replace trust account auditor

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>	<p>This form must be signed by the person authorised by the Australian credit licensee.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Entity</th> <th style="text-align: left;">Signatory</th> </tr> </thead> <tbody> <tr> <td>Partnership comprised of individuals</td> <td>Any one of the individual partners</td> </tr> <tr> <td>Partnership comprised of both individuals and companies</td> <td>Any one of the individual partners or a director or secretary of one of the companies</td> </tr> <tr> <td>Multiple trustees</td> <td>Any one of the trustees, or where the trustee is a body, a director or secretary of the body</td> </tr> <tr> <td>Company</td> <td>Director or secretary</td> </tr> <tr> <td>Foreign company</td> <td>Director or secretary or local agent</td> </tr> <tr> <td>Individual</td> <td>The individual</td> </tr> </tbody> </table>	Entity	Signatory	Partnership comprised of individuals	Any one of the individual partners	Partnership comprised of both individuals and companies	Any one of the individual partners or a director or secretary of one of the companies	Multiple trustees	Any one of the trustees, or where the trustee is a body, a director or secretary of the body	Company	Director or secretary	Foreign company	Director or secretary or local agent	Individual	The individual
Entity	Signatory														
Partnership comprised of individuals	Any one of the individual partners														
Partnership comprised of both individuals and companies	Any one of the individual partners or a director or secretary of one of the companies														
Multiple trustees	Any one of the trustees, or where the trustee is a body, a director or secretary of the body														
Company	Director or secretary														
Foreign company	Director or secretary or local agent														
Individual	The individual														
<b>Lodging period</b>	As soon as practicable after the resolution is made to replace the auditor.														
<b>Lodgement fees</b>	Nil.														
<b>Further guidance</b>	Refer to Regulatory Guide 26 Resignation, removal and replacement of auditors (RG 26) for more information on replacing 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> .														
<b>Timing</b>	<p>ASIC's approval to an auditor's replacement cannot be backdated. The replacement can only take effect on the day that ASIC grants its approval.</p> <p>Do not proceed on the assumption that ASIC's approval will automatically be granted.</p> <p>If ASIC does not approve the replacement, the existing auditor will continue to hold office.</p>														
<b>Procedure</b>	<p>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:</p> <p style="padding-left: 40px;">Australian Securities &amp; Investments Commission PO Box 4000 Gippsland Mail Centre VIC 3841</p> <p>ASIC will advise the licensee in writing of the result of the application.</p> <p>If ASIC approves the replacement, 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.</p> <p>If the credit licensee is an Australian financial services licensee and is not a public company, the credit licensee should apply for consent to remove the auditor using Form FS07 <i>Application for consent from ASIC to remove an auditor of an Australian financial services licensee</i>.</p> <p>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 removing the auditor.</p>														

---

## 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
- 

## 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.

---

## 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