



ASIC

Australian Securities & Investments Commission

[PF 138]

Pro Forma 138

**Request for information by
Government agency**

First issued: 27 November 1995

Reissued: 1 February 2016

This pro forma sets out the form of application for a government or agency of the Commonwealth seeking release of information by the Australian Securities and Investments Commission (ASIC) under s127(4) of the *Australian Securities and Investments Commission Act 2001*. See Regulatory Guide 103 *Confidentiality and release of information* (RG 103).

Australian Securities and Investments Commission

*Australian Securities and Investments Commission Act 2001—
section 127(4)*

[ASIC delegate]

Australian Securities and Investments Commission

[Change depending on region]

Level 7

120 Collins Street

Melbourne VIC 3000

Dear Sir/Madam

Re: Section 127(4) of the ASIC Act – request for information

[Name of agency/government] is an agency of the Commonwealth Government within the meaning of s127(4)(a) of the *Australian Securities and Investments Commission Act 2001* (ASIC Act) / a government or agency of a state or territory within the meaning of s127(4)(b) of the *Australian Securities and Investments Commission Act 2001* (ASIC Act).

The [agency/government] requests ASIC to disclose particular information to us in accordance with the provisions of s127(4) of the ASIC Act, being the information described in Schedule A to this letter.

The disclosure of the information will enable or assist [agency/government] to perform or exercise the function or power which is described in Schedule B to this letter. The [agency/government] proposes to use the information for the purposes described in Schedule C to this letter.

The following persons may be likely to be adversely affected by the proposed disclosure [set out relevant names and addresses and in respect of each person named, state whether the agency/government would be concerned if ASIC consulted that person about releasing the specified information for the specified purpose].

Could you please contact me on [telephone number] to advise whether the information may be disclosed in accordance with s127(4) and, if appropriate, to make arrangements for the disclosure of the information.

Yours faithfully

[name of officer]

[designation of officer]

Schedule A

[describe the categories of information with as much particularity as possible]

Schedule B

[state the statutory power or function (e.g. sections of relevant Act) and provide a short description of the power or function]

Schedule C

[describe the purpose for which the information is proposed to be used (e.g. investigation of affairs of X Pty Ltd)]