



S01571474

National Consumer Credit Protection Regulations 2010 (Cth)
Infringement notice

section 331 of the Act
paragraph 40(a) of the Regulations

Date of issue: 26 February 2016

Unique identification code: S01571474

TO: Capital Finance Australia Limited
ACN 069 663 136
'Westpac Place'
Level 20, 275 Kent Street
SYDNEY NSW 2000

1. I, Timothy Peter Mullaly, give this infringement notice under regulation 39 of the *National Consumer Credit Protection Regulations 2010*.
2. I have reasonable grounds to believe that you have committed the following offence:

On or about 5 June 2015 at Whyalla Stuart in South Australia you, as a credit provider holding Australian credit licence number 393031, committed an offence under subsection 102(1) of the *National Credit Code*, by failing to give to a mortgagor, (under loan contract number 747205), a written notice containing the required matters and in the prescribed form within 14 days of taking possession of a Nissan Tiida registration 176JMG.

Penalty under this notice

3. The penalty for the alleged offence under this notice is \$1,700 for an individual (10 penalty units) or \$8,500 for a body corporate (50 penalty units).

The applicable penalty in this notice is \$8,500.

This penalty can be paid by **(see attached invoice for payment options)**.

4. If you pay the penalty stated in this notice within the time for payment mentioned below then (unless this notice is subsequently withdrawn and any penalty paid refunded):
 - (a) any liability you have for the commission of the alleged offence will be discharged; and
 - (b) you will not be prosecuted for the alleged offence; and
 - (c) you will not be taken to have admitted guilt in respect of the alleged offence; and
 - (d) you will not be taken to have been convicted of the alleged offence.

Consequences of failure to pay penalty under this notice

5. If you do not pay the penalty specified in this notice within the time for payment mentioned below, you may be prosecuted for the alleged offence.
6. The maximum penalty that a court may impose for this offence is 50 penalty units for an individual and 250 penalty units for a body corporate.

Time for payment

7. The time for payment is:
 - (a) within 28 days after the day on which the notice is given to you; or
 - (b) if you apply for a further period of time in which to pay the penalty, and the application is granted — within the further period allowed; or
 - (c) if you apply for a further period of time in which to pay the penalty, and the application is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you; or
 - (d) if you apply for permission to pay the penalty by instalments, and the permission is granted — in accordance with the permission; or
 - (e) if you apply for permission to pay the penalty by instalments, and the permission is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you; or
 - (f) if you apply for the notice to be withdrawn, and the application is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you.

Applying to have this notice withdrawn

9. Within 28 days after you receive this notice, you may apply to the nominated person for this infringement notice to have this notice withdrawn.

Applying for more time to pay the penalty under this notice

10. Within 28 days after you receive this notice, you may apply to the nominated person for a further period of up to 28 days in which to pay the penalty under this notice.

Applying to pay the penalty under this notice by instalments

11. Within 28 days after you receive this notice, you may apply to the nominated person for permission to pay the penalty under this notice by instalments.

Requirements for applications

12. An application to have this notice withdrawn, or for more time to pay the penalty under this notice, or for permission to pay the penalty under this notice by instalments:

- (a) must be in writing; and
- (b) must include the unique identification code set out at the top of this notice; and
- (c) must include your reasons for making the application; and
- (d) for an application for permission to pay the penalty under this notice by instalments — include the proposed amount and frequency of instalments; and
- (e) may be made by forwarding your application to the nominated person.

13. The nominated person for this infringement notice is:

Caroline Jefferies

Australian Securities and Investments Commission


GPO Box 9827

Sydney NSW 2001

or by facsimile: (02) 9911 2414

or by email: caroline.jefferies@asic.gov.au

Signed



Timothy Peter Mullaly

Authorised ASIC officer issuing the notice



National Consumer Credit Protection Regulations 2010 (Cth)
Infringement notice

section 331 of the Act
paragraph 40(a) of the Regulations

Date of issue: 26 February 2016

Unique identification code: S01571475

TO: Capital Finance Australia Limited
ACN 069 663 136
'Westpac Place'
Level 20, 275 Kent Street
SYDNEY NSW 2000

1. I, Timothy Peter Mullaly, give this infringement notice under regulation 39 of the *National Consumer Credit Protection Regulations 2010*.
2. I have reasonable grounds to believe that you have committed the following offence:

On or about 2 July 2015 at Benaraby in Queensland you, as a credit provider holding Australian credit licence number 393031, committed an offence under subsection 102(1) of the *National Credit Code*, by failing to give to a mortgagor, (under loan contract number 679025), a written notice containing the required matters and in the prescribed form within 14 days of taking possession of a Holden Commodore registration 897SOL.

Penalty under this notice

3. The penalty for the alleged offence under this notice is \$1,700 for an individual (10 penalty units) or \$8,500 for a body corporate (50 penalty units).

The applicable penalty in this notice is \$8,500.

This penalty can be paid by **(see attached invoice for payment options)**.

4. If you pay the penalty stated in this notice within the time for payment mentioned below then (unless this notice is subsequently withdrawn and any penalty paid refunded):
 - (a) any liability you have for the commission of the alleged offence will be discharged; and
 - (b) you will not be prosecuted for the alleged offence; and
 - (c) you will not be taken to have admitted guilt in respect of the alleged offence; and
 - (d) you will not be taken to have been convicted of the alleged offence.

Consequences of failure to pay penalty under this notice

5. If you do not pay the penalty specified in this notice within the time for payment mentioned below, you may be prosecuted for the alleged offence.
6. The maximum penalty that a court may impose for this offence is 50 penalty units for an individual and 250 penalty units for a body corporate.

Time for payment

7. The time for payment is:
 - (a) within 28 days after the day on which the notice is given to you; or
 - (b) if you apply for a further period of time in which to pay the penalty, and the application is granted — within the further period allowed; or
 - (c) if you apply for a further period of time in which to pay the penalty, and the application is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you; or
 - (d) if you apply for permission to pay the penalty by instalments, and the permission is granted — in accordance with the permission; or
 - (e) if you apply for permission to pay the penalty by instalments, and the permission is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you; or
 - (f) if you apply for the notice to be withdrawn, and the application is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you.

Applying to have this notice withdrawn

9. Within 28 days after you receive this notice, you may apply to the nominated person for this infringement notice to have this notice withdrawn.

Applying for more time to pay the penalty under this notice

10. Within 28 days after you receive this notice, you may apply to the nominated person for a further period of up to 28 days in which to pay the penalty under this notice.

Applying to pay the penalty under this notice by instalments

11. Within 28 days after you receive this notice, you may apply to the nominated person for permission to pay the penalty under this notice by instalments.

Requirements for applications

12. An application to have this notice withdrawn, or for more time to pay the penalty under this notice, or for permission to pay the penalty under this notice by instalments:
- (a) must be in writing; and
 - (b) must include the unique identification code set out at the top of this notice; and
 - (c) must include your reasons for making the application; and
 - (d) for an application for permission to pay the penalty under this notice by instalments — include the proposed amount and frequency of instalments; and
 - (e) may be made by forwarding your application to the nominated person.
13. The nominated person for this infringement notice is:

Caroline Jefferies

Australian Securities and Investments Commission

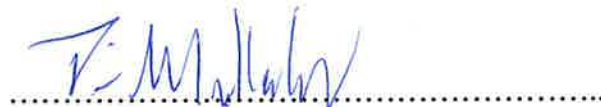
GPO Box 9827

Sydney NSW 2001

or by facsimile: (02) 9911 2414

or by email: caroline.jefferies@asic.gov.au

Signed



Timothy Peter Mullaly

Authorised ASIC officer issuing the notice



National Consumer Credit Protection Regulations 2010 (Cth)
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section 331 of the Act
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Date of issue: 26 February 2016

Unique identification code: S01571476

TO: Capital Finance Australia Limited
ACN 069 663 136
'Westpac Place'
Level 20, 275 Kent Street
SYDNEY NSW 2000

1. I, Timothy Peter Mullaly, give this infringement notice under regulation 39 of the *National Consumer Credit Protection Regulations 2010*.
2. I have reasonable grounds to believe that you have committed the following offence:

On or about 20 June 2015 at Wyreema in Queensland you, as a credit provider holding Australian credit licence number 393031, committed an offence under subsection 102(1) of the *National Credit Code*, by failing to give to a mortgagor, (under loan contract number 605788), a written notice containing the required matters and in the prescribed form within 14 days of taking possession of a Toyota Hilux registration 423SLZ.

Penalty under this notice

3. The penalty for the alleged offence under this notice is \$1,700 for an individual (10 penalty units) or \$8,500 for a body corporate (50 penalty units).

The applicable penalty in this notice is \$8,500.

This penalty can be paid by **(see attached invoice for payment options)**.

4. If you pay the penalty stated in this notice within the time for payment mentioned below then (unless this notice is subsequently withdrawn and any penalty paid refunded):
 - (a) any liability you have for the commission of the alleged offence will be discharged; and
 - (b) you will not be prosecuted for the alleged offence; and
 - (c) you will not be taken to have admitted guilt in respect of the alleged offence; and
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Consequences of failure to pay penalty under this notice

5. If you do not pay the penalty specified in this notice within the time for payment mentioned below, you may be prosecuted for the alleged offence.
6. The maximum penalty that a court may impose for this offence is 50 penalty units for an individual and 250 penalty units for a body corporate.

Time for payment

7. The time for payment is:
 - (a) within 28 days after the day on which the notice is given to you; or
 - (b) if you apply for a further period of time in which to pay the penalty, and the application is granted — within the further period allowed; or
 - (c) if you apply for a further period of time in which to pay the penalty, and the application is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you; or
 - (d) if you apply for permission to pay the penalty by instalments, and the permission is granted — in accordance with the permission; or
 - (e) if you apply for permission to pay the penalty by instalments, and the permission is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you; or
 - (f) if you apply for the notice to be withdrawn, and the application is refused or is taken to have been refused — within the later of:
 - (i) 7 days after:
 - (A) the day you receive the notice of refusal; or
 - (B) the application is taken to have been refused; and
 - (ii) 28 days after the day on which the infringement notice was given to you.

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- (a) must be in writing; and
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Signed



Timothy Peter Mullaly

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