# Request to suspend an Australian financial services licence

To fully complete this request, fill out items 1–14, undertake all relevant actions and ensure that the request has been correctly signed before submitting it to the Australian Securities and Investments Commission (ASIC). The request must be submitted with a covering letter detailing certain additional information (as set out below).

I/We \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ hereby request that ASIC suspend the Australian financial services (AFS) licence of [licensee name] with licence number [licence number] for a period of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or until [dd/mm/yyyy].

## The AFS licence is held by (tick applicable box):

A natural person [ ]  A partnership [ ]  A body corporate [ ]

The trustees of a trust [ ]  Foreign entity [ ]

## Why are you seeking suspension of the financial services licence?

Provide details of the reasons in the covering letter submitted with this request, including the requested length of suspension.

## Are you regulated by the Australian Prudential Regulation Authority (APRA)?

**Yes** [ ]

**No** [ ]

## Are there any related bodies corporate that are APRA regulated?

**Yes** [ ]  Provide a list of all entities (including their Australian Company Number (ACN) and/or Australian Business Number (ABN)) and provide details of their APRA status (i.e. whether or not they are an authorised deposit-taking institution (ADI)) in the covering letter submitted with this request.

**No** [ ]

## **If you or your related bodies corporate are APRA regulated, will** suspension of the licence prevent any APRA-regulated activities being undertaken?

**Yes** [ ]  Provide details of the relevant activities that will be affected in the covering letter submitted with this request.

**No** [ ]

## Are you a participant in a licensed market?

**Yes** [ ]  What is the name of the licensed market? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**No** [ ]

## Are you a participant in a licensed clearing and settlement (CS) facility?

**Yes** [ ]  What is the name of the CS facility? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**No** [ ]

## Have all financial advisers and authorised representatives been notified of the pending suspension?

**Yes** [ ]

**No** [ ]  Please ensure that you have advised all financial advisers and authorised representatives of the suspension.

## If you are the responsible entity of any registered managed investment scheme(s), have the scheme(s) been de-registered or transferred to a new responsible entity?

**Yes** [ ]

**No** [ ]  Provide details of when this is to occur in the covering letter submitted with this request.

You cannot act as a responsible entity while your AFS licence is suspended.

## If you were required to have a dispute resolution system under s912A(1)(g) of the *Corporations Act 2001* (Corporations Act), are you aware of any internal or external dispute(s) that have not been fully resolved?

**Yes** [ ]  Please provide details of the dispute(s) in the covering letter submitted with this request.

**No** [ ]

## Have you included the appropriate fee with this request?

**Yes** [ ]

**No** [ ]

See [Information Sheet 30](http://asic.gov.au/for-business/payments-fees-and-invoices/asic-fees/fees-for-commonly-lodged-documents/) *Fees for commonly lodged documents* (INFO 30) for the fee payable.

## Have you lodged all outstanding financial statements and auditor’s reports?

**Yes** [ ]

**No** [ ]  Ensure you take immediate steps to lodge any outstanding reports.

Download [Form FS70](http://asic.gov.au/regulatory-resources/forms/forms-folder/fs70-australian-financial-services-licensee-profit-and-loss-statement-and-balance-sheet/) *Australian financial services licensee profit and loss statement and balance sheet* and [Form FS71](http://asic.gov.au/regulatory-resources/forms/forms-folder/fs71-auditor-s-report-for-afs-licensee/) *Auditor’s report for AFS licensee*.

See Subdiv C of Pt 7.8 of the Corporations Act in relation to these requirements.

## Do you have an outstanding ASIC account balance?

**Yes** [ ]  Ensure you take steps to finalise payment of all outstanding amounts.

**No** [ ]

You can confirm your account balance by telephoning the Customer Contact Centre on **1300 300 630** (within Australia) or **+61 3 5177 3988** (outside Australia).

## Are you willing to accept service of the notice of suspension via email?

**Yes** [ ]  Provide a valid email address to accept service and a valid postal address for ASIC to forward the original documents in the covering letter submitted with this request.

**No** [ ]

## Declaration

I/We declare that, to the best of our knowledge, the information supplied in, and with, this form is complete and accurate.

Note: It is an offence to provide false or misleading information to ASIC.

**Entity**

|  |  |
| --- | --- |
| Signature |  |
| Name and office held |  |
| Date signed | DD/MM/YY |

**Signatory**

|  |  |
| --- | --- |
| Signature |  |
| Name and office held |  |
| Date signed | DD/MM/YY |

**Who should sign the request?**

| **Entity type:** | **Signatory:** |
| --- | --- |
| Natural person | The licensee |
| Trustees | A trustee |
| Partnership | A partner |
| Foreign entity | Local agent or director or secretary |
| Company or other body corporate | A director or secretary  |
| Company or other body corporate in external administration | If the licensee is under external administration, the signatory will depend on the circumstances and the type of external administration:* In liquidation—The signatory should be the liquidator.
* Under administration—The signatory should be the administrator.
* The company has entered into a deed of company arrangement—Generally, the signatory should be the administrator of the deed.
* Receiver or receiver and manager appointed—The signatory should be the receiver, receiver and manager, director, or secretary, depending on the provisions of the court order or instrument and the property to which the receiver or receiver and manager was appointed.

If the company is also in liquidation, the liquidator must sign the request. |

Email the request for suspension to Licensing.AFSLproofs@asic.gov.au. We will send your a fee invoice after we have received your request. We will not process the suspension until the fee has been paid.

Alternatively, you can send the request, along with a covering letter and a cheque for the relevant fee, by mail to:

Australian Securities and Investments Commission
Licensing
GPO Box 9827
Melbourne Vic 3001