



29 February 2016

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Dear Doug

Consultation Paper 248 - Remaking ASIC class orders on reporting by foreign entities: [CO98/98] and [CO 02/1432]

CPA Australia welcomes the opportunity to respond to the above Consultation. CPA Australia represents the diverse interests of more than 155,000 members in 118 countries. Our vision is to make CPA Australia the global accountancy designation for strategic business leaders. We make this submission on behalf of our members and in the broader public interest.

CPA Australia supports the continuation of the relief provided by the two class orders through a single new instrument, as proposed in the Consultation.

We are, however, unable to support the proposal to restrict the relief in certain circumstances through the class order, as ASIC already has such powers through the Corporations Act. In our view, both ASIC and ATO have significant powers that enable them to demand financial information from small proprietary companies and registered foreign companies, and are able to communicate with each other on relevant matters. Further, the rationale states that ASIC in deciding to restrict the relief will consider the public interest and the benefits of reporting. The rationale does not provide any further explanation on how such reporting will serve the public interest. Mention, if any, of such rationale within the class order should be restricted to ASIC's powers as set out in the ASIC Act 2001 and in terms of recognised agency liaison and cooperation.

If you require further information on any of our views expressed in this submission, please contact Ram Subramanian, CPA Australia by email at ram.subramanian@cpaaustralia.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eva Tsahuridu'.

Dr Eva Tsahuridu
Manager – Accounting Policy