



**ASIC**  
Australian Securities &  
Investments Commission

## CEU final compliance report by ASIC

ASIC's final report dated **16 March 2020** on compliance with the s93AA ASIC Act court enforceable undertaking (CEU) given by **AIW Dealer Services Pty Ltd** (ACN 153 322 420) dated **14 December 2017**.

Terms used in this report have the same meaning as in the **14 December 2017** court enforceable undertaking (CEU).

<b>Undertakings</b>	<b>Report on compliance</b>
<b>Engagement of Independent Expert</b>  CEU paragraphs 8.1-8.3	<ol style="list-style-type: none"><li>1. AIW requested ASIC approve the engagement of the Independent Expert (IE) substantially within the time required by the CEU.</li><li>2. Following ASIC's approval, AIW engaged the IE within the time required by the CEU.</li></ol>
<b>Terms of engagement</b>  CEU paragraphs 8.4-8.5	<ol style="list-style-type: none"><li>3. The IE's terms of engagement reflected the requirements in paragraphs 8.4 to 8.5 of the CEU.</li></ol>
<b>Policy and Procedure Review</b>  CEU paragraphs 9.1-9.8	<ol style="list-style-type: none"><li>4. Within the times specified in the CEU, the IE:<ol style="list-style-type: none"><li>a) completed a review of the effectiveness of AIW's policies and procedures in relation to matters identified in paragraphs 9.1(a) - (f), and</li><li>b) provided AIW and ASIC with a Policy and Procedure Report within the time specified by the IE as set out in paragraphs 9.3 to 9.4.</li></ol></li><li>5. AIW implemented the recommendations from the Policy and Procedure Review into a Policy and Procedure Remedial Action Plan within the time specified by the IE as set out in paragraphs 9.5-9.8.</li></ol>
<b>Review and Remediation Program</b>  CEU paragraphs 10.1-10.10	<ol style="list-style-type: none"><li>6. AIW prepared a Review and Remediation Program that was consistent with the principles set out in paragraphs 10.1 (a)-(b).</li><li>7. AIW provided the proposed Review and Remediation Program to the IE and ASIC in accordance with paragraph 10.2.</li></ol>

Undertakings	Report on compliance
	<ol style="list-style-type: none"> <li data-bbox="549 232 1362 360">8. ASIC, in consultation with the IE, agreed changes to the Review and Remediation Program and AIW made the recommended modifications in accordance with paragraph 10.3.</li> <li data-bbox="549 383 1362 461">9. The Review and Remediation Program met the requirements set out in paragraph 10.4(a) of the CEU.</li> <li data-bbox="549 483 1362 562">10. The IE undertook the requirements set out in paragraph 10.4(b) within the required timeframe.</li> <li data-bbox="549 584 1362 663">11. The IE monitored the Review and Remediation Program in accordance with AIW's undertakings paragraph 10.5 of the CEU.</li> <li data-bbox="549 685 1362 864">12. AIW prepared a Review and Remediation Remedial Action Plan that set out the action AIW proposed to take to implement any recommendations made by the IE as set out in paragraphs 10.6 (a) to (c).</li> <li data-bbox="549 887 1362 1014">13. The Review and Remediation – Remedial Action Plan was given by AIW to ASIC and the Independent Expert within the required timeframe set out in paragraph 10.7 of the CEU.</li> <li data-bbox="549 1037 1362 1261">14. ASIC required some modifications to the Review and Remediation - Remedial Action Plan and AIW made the modifications. AIW provided the modified Review and Remediation Remedial Action Plan to both ASIC and the IE within the required timeframe set out in paragraph 10.8-9.</li> <li data-bbox="549 1283 1362 1411">15. The Review and Remediation Program was substantially complete by 30 June 2019 with the exception being payment of all compensation to Affected Clients as set out in paragraph 10.10.</li> <li data-bbox="549 1433 1362 1612">16. The delay in compensation payment was as a result of Affected Clients making decisions about whether or not to accept the offer of compensation, electing to have their matter dealt with by AFCA or seeking independent legal advice.</li> <li data-bbox="549 1635 1362 1769">17. All Affected Clients other than those who have elected to have their matter dealt with by AFCA have been paid compensation in accordance with the Review and Remediation Program.</li> </ol>