

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 18/10/2021 12:57:17 PM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Originating Application - Form 15 - Rule 8.01(1)
File Number:	NSD1088/2021
File Title:	AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION v ULTIMATE CREDIT MANAGEMENT PTY LTD ACN 600 325 451
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink that reads 'Sia Lagos'.

Dated: 18/10/2021 1:18:46 PM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Originating application

No. of 20

Federal Court of Australia
District Registry: New South Wales
Division: Commercial and Corporations

Australian Securities and Investments Commission

Applicant

Ultimate Credit Management Pty Ltd (ACN 600 325 451)

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place:

The Court ordered that the time for serving this application be abridged to

Date:

Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of (name & role of party) Australian Securities and Investments Commission
Prepared by (name of person/lawyer) Conrad Gray / Meredith Dodds
Law firm (if applicable)
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Address for service Level 5, 100 Market Street, Sydney NSW 2000
(include state and postcode)



Details of claim

On the grounds stated in the accompanying concise statement, the Applicant claims:

1. A declaration pursuant to s166(2) of the *National Consumer Credit Protection Act 2009 (Cth)* that during the period from 20 May 2019 to 11 December 2019 whilst Ultimate Credit Management Pty Ltd (ACN 600 325 451) (**UCM**) was an Australian credit licensee with Australian Credit Licence Number 467301, UCM contravened s 47(1)(a) of the Act by failing to do all things necessary to ensure that the credit activities authorised by UCM's credit licence were engaged in efficiently, honestly and fairly, in that in the said period, UCM brought court proceedings against a total of 24 debtors in a jurisdiction other than that prescribed by Regulation 36 of the *National Consumer Credit Protection Regulations 2010 (Cth)*.
2. An order pursuant to s167(2) of the *National Consumer Credit Protection Act 2009 (Cth)* that UCM pay to the Commonwealth of Australia such pecuniary penalty as the Court determines to be appropriate in respect of UCM's contravention of s47(1)(a).
3. Costs.
4. Such further or other order as the Court considers fit.

Applicant's address

The Applicant's address for service is:

Place: Level 5, 100 Market Street, Sydney NSW 2000

Email: conrad.gray@asic.gov.au

The Applicant's address is Level 5, 100 Market Street, Sydney NSW 2000.

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: 18 October 2021

A handwritten signature in cursive script, appearing to read 'Conrad Gray'.

Signed by Conrad Gray
Lawyer for the Applicant