



Notification of resignation, removal or cessation of auditor of a corporate collective investment vehicle

Form 5233
Corporations Act 2001
331AC(7), 331AD
1232R(2), 1232S

Use this form to notify of resignation, removal or cessation of an auditor of a retail corporate collective investment vehicle (CCIV). Refer to Australian Securities and Investments Commission (ASIC) Regulatory Guide 26 and the attached Guide before completing this form.

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement.

Lodgement details

Who should ASIC contact if there is a query about this form?

Name

ASIC registered agent number (if applicable)

Telephone number

Postal address

CCIV details

CCIV name

ACN/ABN

1 Details of resignation, removal or cessation

Notice was received of the resignation of the auditor and disclosure as required by Regulatory Guide 26 *Resignation, removal and replacement of auditors* (RG 26) has been made.

Date of receipt of notice of resignation

/ /
[D] [D] / [M] [M] / [Y] [Y]

Date resignation of auditor was disclosed

/ /
[D] [D] / [M] [M] / [Y] [Y]

The auditor was removed from office and disclosure as required by Regulatory Guide 26 *Resignation, removal and replacement of auditors* (RG 26) has been made.

Date removal of auditor was disclosed

/ /
[D] [D] / [M] [M] / [Y] [Y]

The auditor is deceased

Date of death

/ /
[D] [D] / [M] [M] / [Y] [Y]

The auditor has been disqualified for reasons specified under Division 2 of Part 2M.4 of the Corporations Act 2001

Date of disqualification

/ /
[D] [D] / [M] [M] / [Y] [Y]

The CCIV is being wound up in respect of all its sub-funds (refer section 1232S of the Corporations Act 2001)

Date winding up commenced

/ /
[D] [D] / [M] [M] / [Y] [Y]

2 Details of auditor

ASIC registered company auditor number (for individual auditor or authorised audit company)

Family name

Given name/s

OR

Authorised audit company name

ACN/ABN

OR

Firm name (if applicable)

ABN

Address

At the office of, C/- (if applicable)

Office, unit, level

Street number and Street name

Suburb/City

State/Territory

Postcode

Country (if not Australia)

Signature

This form must be signed by a director or secretary of the corporate director of the CCIV.

To the best of my knowledge, the information in this form and annexures is true and complete (it is an offence to provide false or misleading information to ASIC).

Name of person signing

Capacity

Director of the corporate director

Secretary of the corporate director

Signature

Date signed

/ /
[D] [D] [M] [M] [Y] [Y]

Lodgement

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au

Need help? www.asic.gov.au/question

Telephone 1300 300 630

Guide: Notification of resignation, removal or cessation of auditor of a corporate collective investment vehicle

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This guide does not form part of the form. It is included by ASIC to assist you in completing and lodging the Form 5233.

Signature	This form must be signed by a director or secretary of the corporate director of the CCIV.
Lodgement period	14 days.
Lodgement fees	Nil.
Late fees	<p>Late fees will apply if you notify a change outside of the lodgement period.</p> <p>For information on fees refer to www.asic.gov.au/forms.</p> <p>A form is not considered lodged until it is received and accepted by ASIC as being in compliance with s1274(8) of the Corporations Act 2001. A receipt will not be issued unless requested.</p>
Additional information	<p>For the resignation of CCIV auditor – the auditor must first obtain consent from ASIC to their resignation using Form 5232 <i>Application for consent from ASIC for resignation or removal of auditor for corporate collective investment vehicle</i>.</p> <p>For removal of CCIV auditor - the corporate director of a CCIV must first obtain consent from ASIC to remove the auditor of a sub-fund from office using 5232 <i>Application for consent from ASIC for resignation or removal of auditor for corporate collective investment vehicle</i>.</p> <p>The resignation or removal will only take effect on the day, following ASIC's consent, when the following disclosure requirements are made by the corporate director, for a CCIV:</p> <ul style="list-style-type: none">• if the CCIV is a disclosing entity, the corporate director must give a continuous disclosure notice, that would not deal with other matters, to ASIC and any relevant market operator for the sub-fund (RG 26); and• if the CCIV is not a disclosing entity, the corporate director must give notice to the CCIV's members (RG 26):<ul style="list-style-type: none">• by a public notice displayed prominently on the corporate director's website where the notice can reasonably be readily located and accessed by members of the CCIV;• by email; or• in writing. <p>In both instances, the notice must contain:</p> <ul style="list-style-type: none">• details of the outgoing auditor;• details of the proposed incoming auditor; and• the reason for the change in auditor.
Further guidance	ASIC Regulatory Guide 26 <i>Resignation, removal and replacement of auditors</i> (RG 26) sets out full details of when ASIC will grant an application for consent to resign or be removed as auditor (see www.asic.gov.au/rg).

How to provide additional information**Annexures**

If there is insufficient space in any section of the form, you may alternately submit annexures as part of this lodgement. To make any annexure conform to the regulations, you must

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the sub-fund name and ARFN
3. number the pages consecutively
4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5. mark the annexure with an identifying letter or symbol eg a,b,c or 1,2,3 etc.
6. endorse the annexure with the words:
This annexure (mark) of (number) pages referred to in form (form number and title)
7. sign and date the annexure

The annexure must be signed by the same person(s) who signed the form.

Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy (www.asic.gov.au/privacy) for information about how we handle your personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.

Lodgement

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

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