

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Originating process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 2
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	12/09/2025 5:31:01 PM AEST
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File Number:	VID1211/2025
File Title:	AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION v AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



Sia Lagos

Registrar

Important Information

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 date of the filing of the document is determined pursuant to the Court's Rules.



Originating process

No. VID

of 2025

Federal Court of Australia
District Registry: Victoria
Division: General

IN THE MATTER OF AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
(ACN 005 357 522)

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)

Defendant

A. DETAILS OF APPLICATION

This application is made under sections 19, 21, 23 and 43 of the *Federal Court of Australia Act 1976* (Cth), sections 1101B, 1317E and 1317G(1)(a) of the *Corporations Act 2001* (Cth) (**Corporations Act**), and sections 166, 167, 182 and 187 of the *National Consumer Credit Protection Act 2009* (Cth) (**Credit Act**).

The plaintiff seeks declarations of contraventions of the Corporations Act and the Credit Act, a pecuniary penalty order, an adverse publicity order, and an ancillary order for costs.

On the facts stated in the Statement of Agreed Facts and Admissions (**SAFA**) dated 12 September 2025, the plaintiff seeks (adopting defined terms as they appear in the SAFA):

Declarations

1 A declaration that, from 15 September 2019 to 30 June 2023, ANZ failed to do all things necessary to ensure that:

(a) the financial services covered by its AFSL (being the provision of the Deposit Accounts); and

Filed on behalf of (name & role of party)	Plaintiff, Australian Securities and Investments Commission
Prepared by (name of person/lawyer)	Gina Wilson
Law firm (if applicable)	Maddocks
Tel	+61 3 9258 3005
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Address for service (include state and postcode)	Gina Wilson, Maddocks, Collins Square Tower Two, Level 25, 727 Collins Street, Melbourne VIC 3008



(b) the credit activities covered by its ACL (being the provision of the Loan Accounts), were engaged in efficiently, honestly and fairly, and therefore contravened ss 912A(1)(a) and (5A) of the Corporations Act, and ss 47(1)(a) and (4) of the Credit Act respectively, by, in relation to both the 14 Day Obligation and the Fee Obligation:

- (c) not having any, or any adequate, documented guidance for ANZ's Bereavement Team and other relevant staff;
- (d) not having any, or any adequate, training for ANZ's Bereavement Team and other relevant staff;
- (e) not having any, or any adequate, systems or processes to identify notifications, requests or fees subject to the obligations; and
- (f) not having any, or any adequate, systems or processes to monitor notifications, requests or fees subject to the obligations and report any breach of the obligations in BCCC compliance statement reporting.

Pecuniary Penalties

- 2 An order that within 30 days, ANZ pay to the Commonwealth of Australia pecuniary penalties in such amount as the Court determines to be appropriate in respect of each of the contraventions referred to in paragraph 1 above.

Adverse publicity order

- 3 An order that, within 30 days of the Court's order, ANZ at its own expense cause a notice to be published in a form and by a method or methods, or at a location or locations, that the Court deems appropriate in terms to be determined by the Court.

Costs

- 4 An order that ANZ pay the plaintiff's costs of and incidental to the proceeding.

Other orders

- 5 Such further or other orders as the Court considers appropriate.

Date:

A handwritten signature in black ink, appearing to be 'Gina Wilson', is written over a horizontal dotted line.

Signed by Gina Wilson
Lawyer for the plaintiff

This application will be heard by the Federal Court of Australia at 305 William Street Melbourne
at *am/*pm on 2025.



B. NOTICE TO THE DEFENDANT

TO: Australia and New Zealand Banking Group Limited
 14/80 Collins Street
 Melbourne VIC 3000

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

Not applicable

D. FILING

Date of filing:

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Registrar

This originating process is filed by Gina Wilson, solicitor for the plaintiff.

E. SERVICE

The plaintiff's address for service is:

Gina Wilson
 Maddocks
 Collins Square Tower Two, Level 25
 727 Collins Street, Melbourne VIC 3008
 Email: Gina.Wilson@maddocks.com.au

It is intended to serve a copy of this originating process on the defendant.

