

Haydar Tuncer

From: Adriana Bianchi
Sent: Wednesday, 29 January 2020 10:06 AM
To: Kevin Truong; Caroline Jefferies
Cc: Eric Alexiades
Subject: FW: PRIME RETIREMENT AND AGED CARE PROPERTY TRUST [DLM=Sensitive]

For your information.

Adriana Bianchi

Professional Standards Officer | Chief Legal Office

Australian Securities and Investments Commission

Level 9, 120 Collins Street, Melbourne, 3000

Tel: s 22

s 22



From: SFC <SFC@finance.gov.au>

Sent: Wednesday, 29 January 2020 9:58 AM

To: Roger Pratt <grosvenormgmt@bigpond.com>

Cc: Adriana Bianchi s 22 >; Steve O'Reilly <steve.oreilly@internode.on.net>; Susie Barnett <sbarnett@srgroup.com.au>

Subject: RE: PRIME RETIREMENT AND AGED CARE PROPERTY TRUST [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Pratt and Mr O'Reilly,

Finance has been advised by ASIC that its enabling legislation prevents the consideration by its portfolio Minister under the CDDA scheme.

To ensure that you or your clients face no detriment as a consequence of this legislation, Finance has advised you and ASIC, that claims affected by that issue can be considered by Finance under the act of grace mechanism.

The act of grace mechanism is a discretionary power available to the Finance Minister to authorise payments where appropriate, due to special circumstances.

The CDDA scheme is also a discretionary scheme available to a Portfolio Minister to authorise payments where Defective Administration has caused a loss.

In reviewing any act of grace claim, Finance will seek advice from ASIC addressing the claims made. This could include the question of whether there was defective administration and whether compensation would have been paid had ASIC considered the matter under the CDDA scheme.

As previously advised, claims need to be lodged either by the individual affected persons, or if you are representing those individuals, can be lodged by you as long as the individual claimant provides a signed authority to act form appointing you as their representative.

I would be happy to call you to discuss the administrative arrangements around making a request for act of grace payments.

Regards

Andrew Bleeze | Assistant Director
Discretionary Payments Section
Risk and Claims Branch
Department of Finance



The Department of Finance acknowledges the traditional custodians of the land on which we work and we pay our respects to Elders past, present and future.



UNCLASSIFIED

From: Roger Pratt <grosvenormgmt@bigpond.com>
Sent: Tuesday, 28 January 2020 3:07 PM
To: SFC <SFC@finance.gov.au>
Cc: adriana.bianchi@asic.gov.au; Steve O'Reilly <steve.oreilly@internode.on.net>; Susie Barnett <sbarnett@srgroup.com.au>
Subject: PRIME RETIREMENT AND AGED CARE PROPERTY TRUST

Please find letter attached.

Regards,

Roger Pratt

Sent from [Mail](#) for Windows 10

Finance Australian Business Number (ABN): 61 970 632 495
Finance Web Site: www.finance.gov.au

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