



**ASIC**  
Australian Securities &  
Investments Commission

## CEU final compliance report by ASIC

ASIC's final report dated **29 October 2021** on compliance with the s93AA, ASIC Act court enforceable undertaking (CEU) given by SIV Capital Limited (ACN 011 045 828) and GoGetta Equipment Funding Pty Ltd (ACN 124 102 647). Terms used in this report have the same meaning as in the CEU dated 7 August 2020.

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| <b>Entering a Remediation Program</b><br><br>CEU paragraphs 3.4 to 3.12, 3.24                    | <ol style="list-style-type: none"><li>1. On 7 August 2020, SIV Capital Limited and GoGetta Equipment Funding Pty Ltd (SIVGG) provided ASIC with a CEU which required SIVGG to implement a Remediation Program (RMP) to identify and remediate Affected Customers.</li><li>2. SIVGG used its best endeavours to identify and remediate all Affected Customers within eight months of the Commencement Date i.e., by April 2021.</li><li>3. In compliance with paragraphs 3.4 to 3.12, SIVGG has materially completed remediation payments and is finalising remediation of the remaining eligible Customers.</li><li>4. SIVGG took reasonable steps to ensure that default listings made on Affected Customers 'credit reports', are removed.</li></ol> |
| <b>Independent overview of the Remediation Program</b><br><br>CEU paragraphs 3.5.6, 3.13 to 3.22 | <ol style="list-style-type: none"><li>5. SIVGG appointed Compliance One Pty Ltd as the Independent Remediation Consultant (IRC) to oversee the RMP.</li><li>6. The IRC provided its:<ol style="list-style-type: none"><li>6.1 Sixth Independent Remediation Consultant Report and its finalisation letter, provided under the RMP, on 23 September 2021; and</li><li>6.2 Final Report pursuant to paragraph 3.19.2 was received on 25 October 2021. The Report confirmed that SIVGG has completed all requirements and obligations set out in the CEU and RMP.</li></ol></li><li>7. The appointment of an alternative Independent Remediation Consultant was not required during the CEU.</li></ol>  |
| <b>Other matters</b><br><br>CEU paragraphs 3.3, 3.23, 3.25 to 3.32                               | <ol style="list-style-type: none"><li>8. SIVGG provided access to their books and information to the IRC and to each other, as required in the CEU and RMP.</li><li>9. GoGetta Equipment Funding Pty Ltd (GoGetta) became and remained an AFCA member until completion of the RMP.</li><li>10. SIVGG paid all costs associated with the CEU and RMP, including all costs associated with the engagement of the IRC, ASIC's investigation costs and legal costs as awarded by the Federal Court in the civil penalty proceedings and as agreed between ASIC and SIVGG.</li></ol>  |

| <b>Undertakings</b> | <b>Report on compliance</b> |
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