



Application for consent from ASIC to remove compliance plan auditor of a registered scheme

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 attach an annexure 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)

Company/entity name

ACN/ABN/ARBN/ARSN

Telephone number

Postal address

Email address (optional)

1 Scheme details

Name of registered scheme

ARSN

Name of responsible entity

ACN/ABN

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

Office, unit, level

Street number and Street name

Suburb/City

State/Territory

Postcode

2 Auditor details

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

If a firm:

Firm name

ABN (if applicable)

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

Office, unit, level

Address

Street number and Street name

Suburb/City

State/Territory

Postcode

Country (if not Australia)

3 Statement by responsible entity

You must declare that the following statements are true for the responsible entity after making proper enquiries.

You must be authorised to sign on behalf of the responsible entity.

Declaration

The responsible entity applies for ASIC's consent to remove the auditor of the above named scheme's compliance plan and declare that, other than set out in this application, including any annexures:

- there are no disagreements with the auditor and the management or directors of the responsible entity (as defined in Regulatory Guide 26 Resignation, removal and replacement of auditors (RG 26)).
- there are no circumstances or matters connected with the auditor ceasing to hold office which should be brought to ASIC's attention.

Reasons for the application

Tick one box only

The reasons for applying for consent to remove the auditor are set out:

below

in an annexure marked (indicate identifying letter or symbol used to mark annexure)

4 Additional information

I attach the following information in annexure marked of pages.

- confirmation in writing from the proposed incoming auditor stating that they are prepared to accept the appointment subject to ASIC's consent to the removal and, if the change is close to the reporting deadline, they have the ability to conduct an effective audit before the reporting deadline;
- confirmation in writing from the outgoing auditor that:
 - all matters that require reporting by the auditor to ASIC under all relevant legislative requirements (ie subsections 601HG(4), 601HG(4A) or 601HG(4B) of the Corporations Act 2001) have been reported to ASIC at the date of this application and any further such matters which come to their attention before the auditor's removal will be reported to ASIC.
 - there are no disagreements between the auditor and the management or directors of the responsible entity (as defined in RG 26).
 - there is no evidence of opinion shopping (as defined in RG 26).
 - there are no circumstances or matters connected with the auditor ceasing to hold office which should be brought to ASIC's attention.
 - there are no reasons the audit is unable to be completed under relevant legislation and standards, including any specific legislative requirements.
- a signed copy of a resolution made by the directors of the responsible entity appointing a replacement auditor to the compliance plan, subject to ASIC's approval of the current auditor's removal.

I acknowledge that if ASIC consents to the removal of the auditor of the scheme's compliance plan, the consent will only take effect when the disclosures outlined in RG 26 are made by the responsible entity.

Signature

This form must be signed by a director or secretary of the responsible entity.

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

Secretary

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: Application for consent from ASIC to remove compliance plan auditor of a registered scheme

This guide does not form part of the form. It is included by ASIC to assist you in completing and lodging the Form 5112.

Use of this form	This is not a prescribed form and its use is optional. It has been prepared by ASIC to assist business with the lodgement process by highlighting information required by ASIC.
Signature	This form must be signed by director or secretary of the responsible entity.
Lodgement period	As soon as practicable after resolution made to remove the auditor
Lodgement fee	A lodgement fee applies to this form. For information on fees refer to www.asic.gov.au/forms .
Timing of removal	<p>ASIC's consent to an auditor's removal cannot be back-dated.</p> <p>When ASIC consents to a removal, our consent will take effect when all the conditions of ASIC's consent have been met. This will generally involve disclosure to the relevant market operator or to members of the scheme, by a public notice displayed prominently on the responsible entity's website where the notice can reasonably be readily located and accessed by members.</p> <p>The removal notice generally contains the following:</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. <p>Do not proceed on the assumption that ASIC's consent will be automatically granted. If ASIC does not grant its consent to the removal, the appointed auditor will continue to hold office as the scheme's compliance plan auditor.</p> <p>As soon as practicable, after the removal of the compliance plan auditor, the responsible entity is required by s601HI to lodge a Form 5114 <i>Notification of request by responsible entity to change compliance plan auditor</i>.</p> <p>For an auditor that is an auditor of the scheme's financial report, the responsible entity should apply for consent to remove using Form 5132 <i>Application for consent from ASIC for resignation or removal of scheme auditor</i>.</p>
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 be removed as an auditor (see www.asic.gov.au/rg).
How to provide additional information	<p>Annexures</p> <p>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</p> <ol style="list-style-type: none">1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides2. show the scheme name and ARSN3. number the pages consecutively4. print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied5. 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 <p>The annexure must be signed by the same person(s) who signed the form.</p>
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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