



TO: APRA for provision to the ACCC

FROM: Shirli Kirschner Resolution facilitator

DATE: 2 March 2015

RE: APRA Authorisation Dispute Resolution – Annual Reporting

Annual Reporting

Condition C3 of the ACCC Authorisation makes provision for annual report of the dispute resolution process.

This report requires APRA/AMCOS to provide the ACCC with an annual public report under the scheme for the previous calendar year (the ADR Report) in accordance with conditions C3.15 and C3.16.

Technically the dispute resolution provisions will not be operational until 30 June this year. The requirements in C3.15 and C3.16 will need to be read accordingly.

I have taken the view, that an ADR Report in this context would set out the progress made in ensuring an ADR facility was being developed in line with the guidelines. This report is for APRA to send to the ACCC to satisfy the requirements.

1. C3.15 – Disputes for 12 months ending 31 December 2014

The disputes for the period ending 31 December 2014 were covered in a formal sense by the Dispute Resolution in place before the authorisation. There were no disputes in this process within that timeframe.

In relation to disputes under the pilot for the new dispute resolution provision, we have been notified of two potential disputes. These disputes are both still currently under consideration and do **not** involve APRA; they are member to member disputes which are not caught by the reporting requirements.

2. C3.16

Each ADR Report must include (into licensee disputes and member disputes) a granulation of the type of disputes. For the period up until 30 December 2014 this is not relevant.

3. Other Matters – C3.17

We will have details to enable APRA to have a link to scheme website by the end of 30 March 2015 and this is on track.



4. **C3.18**

APRA has requested the dispute facilitator to make the scheme fully available for disputes involving licensees and members by 31 March 2015. This is on track. A progress email was sent to the ACCC last week.

5. **C3.19- Education of stakeholders about the new scheme.**

The program has planned a fully operational website which provides a guide to all stakeholders about the dispute process. Please seek confirmation from the ACCC whether this satisfies the conditions of 3.19 given that that website is in printable format.

It is also expected that a short video will be produced for the website. If additional material is required please will the ACCC inform APRA and we can prepare such additional material.

6. **C3.8 – Appointment and Role of the Facilitator**

The facilitator is in place, to undertake all the roles in Schedule C and the facilitator does not perform any other work for APRA other than that in relation to the scheme.

Please do not hesitate to contact the dispute facilitator, Shirli Kirschner, if you have any queries in relation to this report. This report is in addition to the report of 31 October 2014 which provided details of the establishment and role of the consultative committee required under C3.6.

Kind sincerely

A handwritten signature in black ink, appearing to be "SK", written in a cursive style.

Shirli Kirschner - Dispute Resolution Facilitator

To be sent to the ACCC by Jonathan Carter