



Australian Government

Australian Financial Security Authority

# Compliance Program 2022-23

As a firm and fair regulator, our focus is to make compliance as easy as possible for everyone who uses our systems. We use effective, efficient and transparent approaches to monitor the compliance of the regulated community, our performance as a regulator and to identify and take appropriate regulatory action.

We recognise that regulation is at the heart of everything we do. With overarching principles to guide our activities, we focus on achieving our regulatory objectives and strengthening trust and confidence in the personal insolvency (PI) and personal property securities (PPS) systems.

## Our areas of focus

Support at-risk users	Drive willing compliance and engagement	Address misuse in the system
We are committed to identifying and supporting user groups who are at risk. This includes those who are not aware of their options and those who are vulnerable and not able to make the best decision for their circumstances.	Our priority is to make compliance the easiest option. We support all participants in the PI and PPS systems to understand their rights and responsibilities and comply with their obligations.	We use data and insights to identify misuse and use a range of enforcement tools to take strong action.

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## Principles that underpin how we work

Support at-risk users	Drive willing compliance and engagement	Address misuse in the system
AFSA's Vulnerability Framework is the foundation for our actions	Place users at the centre of service design to make compliance the first and easiest option	Use data and intelligence to identify misconduct
We understand the barriers to engagement and develop tailored solutions to maximise reach	Use behavioural insights and data to improve user experiences and compliance	Take strong action against deliberate misuse

## Activities to achieve our areas of focus

Support at-risk users	Drive willing compliance and engagement	Address misuse in the system
Identify at-risk groups and develop targeted engagement plans	The credit system: understand system-wide issues, implement appropriate safeguards and provide advice to ensure confidence	Improve service design to reduce the capacity for system misuse (intended and unintended)
Review, develop and improve information and guidance for at-risk groups	Publish benchmarks and recognise industry best practice	Disrupt untrustworthy advisors
Review services for suitability and appropriate use, starting with insolvency debt agreements	Continue awareness-raising on the importance of security of information, including cybersecurity	Continue to target practitioners that: <ul style="list-style-type: none"> <li>• have unexplained administration delays</li> <li>• disclose unnecessary remuneration</li> <li>• demonstrate misleading conduct</li> </ul>
Prioritise and support the delivery of the Vulnerability Framework	Deep dive into the following areas to understand and improve compliance issues: <ul style="list-style-type: none"> <li>• Bankruptcy Forms</li> <li>• Objections to discharge</li> <li>• PPSR registrations</li> <li>• Use of NPII data</li> </ul>	Proactively target Official Trustee administered estates where assets and income may have been concealed or disposed.

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	Use statutory powers to obtain information and data that drives and enables compliance in estate administrations	Identify and take strong action against those lodging unlawful PPSR registrations
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