

**Answer to question on notice:**

**HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON ECONOMICS**

**REVIEW OF THE ASIC ANNUAL REPORT (SECOND REPORT) 2019**

**ASIC30QON**

**Member: Wilson**

**Reference: Hansard, 23 October 2020, p. 33**

**CHAIR:** We know in the royal commission, TWUSUPER paid officials \$150,000 a year to encourage employees to sign up to their super fund. So would that be considered the basis of financial advice, or have you not reviewed the royal commission's report?

**Ms Press:** I have reviewed the royal commission's report. I will need to take that one back on notice. I'm sorry; I'm not 100 percent sure. I don't believe I can comment today on whether or not it is financial advice without looking at the specifics of the matter.

**CHAIR:** Okay. So you will look at it and come back to us on notice?

**Ms Chester:** Chair, that was not a matter or a case study that was referred to ASIC—so subject to the royal commission. It was up to the royal commissioner to decide whether or not he thought there was any potential misconduct. So the issue that you've raised, from my recollection, was not a case study. It was not a matter that was referred to us for action. So I think that that's a matter for the public record.

**CHAIR:** But that doesn't change the fact that I'm asking about that—and you'll take the question on notice and come back to us.

**Answer:**

We have reviewed the report of the Royal Commission into Trade Union Governance and Corruption (**Royal Commission**) (2015).

The Royal Commission's report has some information about 'Superannuation Liaison Officers' (**SLOs**), engaged by TWUSUPER to encourage employees to sign up to the fund. But the report has only very limited information about the activities of SLOs. It is not possible for us to reach any conclusions about whether the SLOs were providing financial advice in contravention of any law based on that information.

ASIC has made further inquiries and has not found information to indicate that the SLOs were providing financial product advice. ASIC is considering whether it should make further inquiries.