

Introduction

Background

- 1.1 The House of Representatives Standing Committee on Economics (the committee) is empowered to inquire into, and report on, the annual reports of government departments and authorities tabled in the House, that stand referred to the committee in accordance with the Speaker's schedule.
- 1.2 The 2014 annual report (annual report) of the Australian Prudential Regulation Authority (APRA) stands referred to the committee in accordance with this schedule and the committee resolved at its meeting on 26 November 2014 that it would conduct an inquiry into the annual report.
- 1.3 The committee chair stated that APRA's appearance before the committee on 28 November 2014 is a 'continuation of the committee's important discussions with APRA on the current policy settings and regulatory framework underpinning Australia's prudential standards'.¹
- 1.4 APRA was established by the *Australian Prudential Regulation Authority Act 1998* (Cth) as the prudential regulator of the Australian financial services industry. It oversees Australia's banks, credit unions, building societies, life and general insurance companies and reinsurance companies, friendly societies, and most of the superannuation industry. APRA currently supervises institutions holding \$4.9 trillion in assets for Australian depositors, policyholders and superannuation fund members.²

1 House of Representatives Standing Committee on Economics, 'APRA to appear before Economics Committee in Canberra', *Media Release*, 27 November 2014.

2 Australian Prudential Regulation Authority, *2014 Annual Report*, 13 October 2014, p. 1.

- 1.5 The annual report describes APRA's mission as 'to establish and enforce prudential standards and practices designed to ensure that, under all reasonable circumstances, financial promises made by institutions we supervise are met within a stable, efficient and competitive financial system'.³
- 1.6 All deposit-taking institutions, life and general insurance and reinsurance companies and friendly societies must hold an APRA licence to operate in Australia. APRA also licenses trustees of prudentially regulated superannuation funds.⁴
- 1.7 After an institution is licensed, it is subject to ongoing supervision by APRA to ensure that it is managing risks prudently and meeting prudential requirements. APRA aims to identify potential weaknesses in its regulated institutions as early as possible. It applies a risk-based approach under which institutions facing greater risks receive closer supervision.⁵
- 1.8 APRA employs a cooperative approach to resolving issues with supervised institutions. However, where an institution is unwilling or unable to cooperate, APRA is empowered to take enforcement action against an institution, or against individuals associated with that institution. Enforcement options include formal investigation, imposing conditions on an institution's licence, appointment of a replacement trustee and taking criminal action against a person or institution.⁶

Scope and conduct of the review

- 1.9 APRA appeared before the committee at its first public hearing to review the 2014 annual report in Canberra on 28 November 2014.
- 1.10 The proceedings of the hearing were webcast over the internet, through the Parliament's website, allowing interested parties to view or listen to

3 Australian Prudential Regulation Authority, *2014 Annual Report*, 13 October 2014, p. 3.

4 Australian Prudential Regulation Authority, 'Protecting Australia's depositors, insurance policyholders and superannuation fund members', <http://www.apra.gov.au/AboutAPRA/Publications/Pages/APRA-Brochure.aspx> viewed 16 January 2015.

5 Australian Prudential Regulation Authority, Supervision, <http://www.apra.gov.au/AboutAPRA/Pages/Supervision.aspx> viewed 16 January 2015.

6 Australian Prudential Regulation Authority, 'Fact Sheet 6 - APRA's enforcement activities', <http://www.apra.gov.au/AboutAPRA/Publications/Pages/APRA-Fact-Sheet-6.aspx> viewed 16 January 2015.

the proceedings as they occurred. The transcript of the hearing is available on the committee's website.⁷

- 1.11 This report focuses on the issues raised in the annual report and, in particular, on matters raised at the public hearing in Canberra on 28 November 2014.
- 1.12 At the public hearing, the committee examined the current policy settings and regulatory framework for enforcement of prudential standards and practices by APRA. The committee was updated on changes to the regulation of the superannuation industry through APRA's implementation of the new Stronger Super reforms; and APRA's continued oversight of the prudential standards of the ADI sector, particularly, capitalisation in the banking sector, and the increased scrutiny of property lending standards.

7 House of Representatives Standing Committee on Economics, Past Public Hearings and Transcripts, <http://www.aph.gov.au/Parliamentary_Business/Committees/House/Economics/2014_APR_Annual_Report/Public_Hearings> viewed 16 January 2015.

