

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates

2017 - 2018

Division/Agency: Australian Small Business and Family Enterprise Ombudsman

Question No: 82

Topic: Commbank/ Bankwest takeover

Reference: Hansard page 114 (29 May 2017)

Senator: Georgiou, Peter & Gallagher, Katy

Question:

Senator GEORGIU: My question is: have you requested the warranty claim notices in relation to the Bankwest share sale deed?

Ms Carnell: No.

Ms Scott: No.

Senator GEORGIU: No? And what would be required to get that information?

Ms Carnell: We are currently doing some more work on the Commbank Bankwest takeover, when Commbank bought Bankwest. So we are in the process of doing a greater deep dive into that space. We have not left that particular issue. Craig has been doing some work on that.

Dr Latham: Yes. We are putting together a report, working with ASIC. Jointly, hopefully, we will go forward and look at some of the behaviours in this area. We are noting quite a number of what you may well regard as systematic behaviours by the bank in order to be able to default loans. But that is still undergoing that process.

Senator GALLAGHER: Are we able to see a copy of the report?

Ms Carnell: We do not usually have things that are not public, so I cannot imagine why we would not make it public. ASIC has looked at a number of the cases of Commbank/Bankwest in the past, but they have looked at them separately. What we are looking at is to determine whether there are systemic behaviours in that space and what the reasons might be for that, working with ASIC. Remember, ASIC has the power.

Answer:

We are still continuing our investigatory work on the Bankwest takeover by Commbank and, as noted by the Ombudsman, we would be looking to make any report public. In the meantime, we will arrange to brief Senators Georgiou and Gallagher on our findings to date.