



**Australian Finance Conference** Level 7, 34 Hunter Street, Sydney, 2000. GPO Box 1595, Sydney 2001  
ABN 13 000 493 907 Telephone: (02) 9231-5877 Facsimile: (02) 9232-5647 e-mail: [afc@afc.asn.au](mailto:afc@afc.asn.au)

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Ms Jackie Morris  
Committee Secretary  
Senate Standing Committee on Legal and Constitutional Affairs  
PO Box 6100  
Parliament House Canberra ACT 2600  
Email: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Ms Morris,

**BANKRUPTCY LEGISLATION AMENDMENT (SUPERANNUATION  
CONTRIBUTIONS) BILL 2006**

I refer to your letter dated 8 December 2006 inviting the Australian Finance Conference to make a submission on the *Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006* which is the subject of an inquiry by the Senate's Standing Committee on Legal and Constitutional Affairs. Thank you for the opportunity to comment.

In summary, the Australian Finance Conference supports the Bill.

The AFC is a national finance industry body representing about 60 financiers. The AFC is a member of the Attorney-General's Bankruptcy Reform Consultative Forum which meets regularly to consider issues and reform proposals. Through that Forum and the commendable consultative approach of the Insolvency & Trustee Service Australia (ITSA), we have had a good opportunity to participate in discussion on the policy in this Bill along with a range of other policy proposals related to personal insolvency over recent years.

High levels of consumer bankruptcies are of concern to AFC including the actions of debtors to seek to avoid obligations to creditors by effectively 'transferring' or divesting assets before entering bankruptcy. The AFC considers it most important to maintain the integrity of Australia's bankruptcy laws. Creditably, there have been a number of recent reviews of, and amendments to, the bankruptcy legislation and administration with a view to addressing emerging issues and maintaining integrity. The *Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006* is one such policy initiative.

Yours sincerely

David Thorpe  
Associate Director