



NOTIFICATION FORM

NOTIFICATION OF BREACH BY A PRIVATE HEALTH INSURER

Section 95 of the *Private Health Insurance (Prudential Supervision) Act 2015*

All questions in the form must be completed before it can be accepted

(See over page for information on completing this form – attach extra pages if insufficient space)

Name of Insurer

ABN

Registration conditions or Legislative Provisions breached

(Select and answer all relevant provisions below for this breach notification)

APRA Authority (i.e. conditions on your registration instrument)

Private Health Insurance (Prudential Supervision) Act 2015

Private Health Insurance Act 2007



*Private Health Insurance
(Prudential Supervision
(Consequential Amendments and
Transitional Provisions) Act 2015*

*Private Health Insurance
(Prudential Supervision) Rules 2019*

*Private Health Insurance
(Registration) Rules 2017 (No 2)*

*Private Health Insurance
(Risk Equalisation Administration)
Rules 2015*

*Private Health Insurance
(Health Benefits Fund Enforcement)
Rules 2015*

Private Health Insurance Prudential Standards (select applicable PS from list below)

HPS 001 Definitions

HPS 100 Solvency Standard

HPS 110 Capital Adequacy

CPS 220 Risk Management

HPS 231 Outsourcing

CPS 234 Information Security

HPS 310 Audit and Related Matters

CPS 320 Actuarial and Related Matters

HPS 350 Disclosure to APRA

CPS 510 Governance

CPS 520 Fit and Proper



Nature and impact of the breach (including details on the effect on health fund members) and how the breach was identified

(use an attachment to this form if necessary)

Date the breach occurred / /

Date Insurer became aware of the breach / /

Estimated number of health fund members affected

Estimate of \$dollar amount involved

Category of Breach

(Please select only ONE of the following categories that best describes the nature of the breach)

- Audit/Actuarial or Reporting
- Business Continuity Management
- Capital Adequacy
- Disclosure
- Fees and Charges
- Fit and Proper
- Governance or Conflict Management
- Outsourcing
- Risk Management
- Transfer/Amalgamation of Insurance business
- Other

**Rectification action already undertaken and/or proposed action**

(use an attachment to this form if necessary)

Contact Person in relation to breach

First Name

Last Name

Phone number

Return address for
APRA acknowledgement of
notification (email or postal address)

Position held with Insurer

Date / /

Email Email form directly to your APRA Responsible Supervisor's email address

Post to GPO Box 9836, in your capital city (except Hobart, Perth and Darwin)

APRA will acknowledge receipt of this breach notification.

(Refer to Notes on completing this form overleaf)



NOTES

Your obligations

If an APRA-regulated institution becomes aware it has breached (or will breach) a prudential requirement, it may have the obligation to report the breach to APRA.

The relevant legislation requirements for reporting breaches are found in the Prudential Acts:

- s. 62A of the Banking Act 1959
- s. 38AA of the Insurance Act 1973
- s. 132A of the Life Insurance Act 1995
- s. 29JA of the Superannuation Industry (Supervision) Act 1993
- s. 95 of the Private Health Insurance (Prudential Supervision) Act 2015

When must you notify APRA?

Some breaches or matters must be reported immediately to APRA in writing.

Other significant breaches or matters (including those that are not merely minor or technical in nature) must be reported to APRA in writing as soon as practicable of becoming aware that a breach has occurred or will occur.

Refer to the relevant legislation to determine whether a breach or matter needs to be reported.

Failure to notify APRA of a breach

Failure to notify APRA of a breach within the required timeframe, is an offence under the relevant Act.

Format of Breach Notification

Breach notification must be **in writing**.

You may use this form and send to APRA.

Enquiries

Telephone 1300 55 88 49

Email info@apra.gov.au

Mail

GPO Box 9836

In all capital cities

(except Hobart, Perth and Darwin)

Disclaimer

The purpose of these instructions is to provide general assistance in reporting breaches to APRA. These instructions do not contain any legal advice and APRA disclaims any and all liability or responsibility for any loss or damages arising out of any use of, or reliance on, these instructions. Insurers are encouraged to obtain professional advice on their breach reporting obligations under the relevant legislation and to exercise their own skill and care in relation to any material contained in these instructions.

End of Form.