

## **BANKING EXECUTIVE ACCOUNTABILITY REGIME – NOTIFICATION FORM**

This form is APRA's preferred method for an authorised deposit-taking institution (ADI) to meet certain notification obligations under section 37F of the *Banking Act 1959* (the Act). An ADI must notify APRA of an event mentioned in section 37FC of the Act within 14 days of an event.

The form may be used to notify APRA of:

- the ADI becoming aware of:
  - a breach by the ADI of its accountability obligations under section 37C of the Act; or
  - a breach by an accountable person of the ADI, or of a subsidiary of the ADI, of his or her accountability obligations under section 37CA of the Act;<sup>1</sup>
- the dismissal or suspension of an accountable person by the ADI, or subsidiary of the ADI, because the person has failed to comply with his or her accountability obligations under section 37CA of the Act; and
- the reduction of the variable remuneration of a person by the ADI, or subsidiary of the ADI, because the person has failed to comply with his or her accountability obligations under section 37CA of the Act.

This form applies to each large ADI as determined under subsection 37G(3)(a) of the Act unless otherwise exempted under section 37A of the Act.

The information required by this form should be given to APRA in Excel and provided by email to [accountabilityregime@apra.gov.au](mailto:accountabilityregime@apra.gov.au).

The form is accompanied by instructions to assist ADIs in completing the required information.

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<sup>1</sup> Subsidiary has the meaning given in section 9 of the *Corporations Act 2001*.

## BANKING EXECUTIVE ACCOUNTABILITY REGIME – NOTIFICATION FORM

**Australian Business Number**

**Institution Name**

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**Date Submitted**

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### 1. The ADI becoming aware of a breach by the ADI of its accountability obligations under section 37C of the *Banking Act 1959* (the Act).

1.1. Date ADI became aware of a breach of its accountability obligations

<b>Date</b>

1.2. Details of breach of accountability obligations

[Free text]
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### 2. The ADI becoming aware of a breach by an accountable person of the ADI, or of a subsidiary of the ADI, of his or her accountability obligations under section 37CA of the Act.

2.1. Details of accountable person

<b>Title (1)</b>	<b>Given name(s) (2)</b>	<b>Family name (3)</b>	<b>Date of birth (4)</b>	<b>Date ADI became aware (5)</b>

2.2. Details of breach of accountability obligations

[Free text]
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**3. Dismissal or suspension of an accountable person by the ADI, or subsidiary of the ADI, because the person has failed to comply with his or her accountability obligations under section 37CA of the Act.**

3.1. Details of accountable person dismissed or suspended

<b>Title (1)</b>	<b>Given name(s) (2)</b>	<b>Family name (3)</b>	<b>Date of birth (4)</b>	<b>Date of dismissal (5)</b>	<b>Date of suspension (6)</b>

3.2. Details of dismissal or suspension

[Free text]

**4. Reduction of variable remuneration of a person by the ADI, or subsidiary of the ADI, because the person has failed to comply with his or her accountability obligations under section 37CA of the Act.**

4.1. Details of accountable person subject to reduction of variable remuneration

<b>Title (1)</b>	<b>Given name(s) (2)</b>	<b>Family name (3)</b>	<b>Date of birth (4)</b>	<b>Date of reduction (5)</b>

4.2. Details of reduction of variable remuneration

[Free text]

## **BANKING EXECUTIVE ACCOUNTABILITY REGIME – INSTRUCTIONS FOR NOTIFICATION FORM**

This form should be used to notify APRA of certain events mentioned in section 37FC of the *Banking Act 1959* (the Act) within 14 days after the event. The section of the form to be used depends on the purpose of the submission. To notify APRA of:

- the ADI becoming aware of a breach of its accountability obligations, complete section 1;
- the ADI becoming aware of a breach by an accountable person of his or her accountability obligations, complete section 2;
- the dismissal or suspension of an accountable person because the person has failed to comply with his or her accountability obligations, complete section 3; or
- the reduction of the variable remuneration of a person because the person has failed to comply with his or her accountability obligations, complete section 4.

Where relevant, an ADI may complete multiple sections of the form in one submission. As an ADI must notify APRA within 14 days after each notifiable event, the ADI may need to provide multiple submissions of the form in relation to the same breach of accountability obligations. ADIs should use the free text fields to indicate related submissions. An ADI may also provide additional supporting information with the submission of the form.

This form is used by the ADI to submit information relating to the ADI and any subsidiaries of the ADI.

### **Section 1. The ADI becoming aware of a breach by the ADI of its accountability obligations under section 37C of the Act.**

<b>Item 1.1</b>	Report the date that the ADI became aware of a breach by the ADI of its accountability obligations under section 37C of the Act.
<b>Item 1.2</b>	Provide a description of the nature and impact of the breach including the date (or date range) of the breach of accountability obligations.

### **Section 2. The ADI becoming aware of a breach by an accountable person of the ADI, or of a subsidiary of the ADI, of his or her accountability obligations under section 37CA of the Act.**

<b>Item 2.1</b>	<p>For the accountable person for whom the ADI became aware of a breach of his or her accountability obligations under section 37CA of the Act, report:</p> <ul style="list-style-type: none"><li>• the title in column 1, the given name(s) in column 2, the family name or surname in column 3, the date of birth in column 4; and</li><li>• the date that the ADI became aware of a breach in column 5.</li></ul> <p>The information reported in column 1 to column 4 must match the most recently submitted registration information for the accountable person.</p>
<b>Item 2.2</b>	Provide a description of the nature and impact of the event including the date (or date range) of the breach of accountability obligations.

**Section 3. Dismissal or suspension of an accountable person by the ADI, or subsidiary of the ADI, because the person has failed to comply with his or her accountability obligations under section 37CA of the Act.**

<b>Item 3.1</b>	<p>For the accountable person dismissed or suspended, report:</p> <ul style="list-style-type: none"> <li>• the title in column 1, the given name(s) in column 2, the family name or surname in column 3, the date of birth in column 4; and</li> <li>• if the individual is dismissed the date of dismissal in column 5; or</li> <li>• if the individual is suspended, the date of suspension in column 6.</li> </ul> <p>The information reported in column 1 to column 4 must match the most recently submitted registration information for the accountable person.</p>
<b>Item 3.2</b>	<p>Provide a description of the nature and impact of the event including the date (or date range) of failure to comply with accountability obligations.</p>

**Section 4. Reduction of variable remuneration of a person by the ADI, or subsidiary of the ADI, because the person has failed to comply with his or her accountability obligations under section 37CA of the Act.**

<b>Item 4.1</b>	<p>For the accountable person whose remuneration is reduced, report:</p> <ul style="list-style-type: none"> <li>• the title in column 1, the given name(s) in column 2, the family name or surname in column 3, the date of birth in column 4; and</li> <li>• the date of the reduction of variable remuneration in column 5.</li> </ul> <p>The information reported in column 1 to column 4 must match the most recently submitted registration information for the accountable person.</p>
<b>Item 4.2</b>	<p>Provide a description of the nature and impact of the event including the date (or date range) of failure to comply with accountability obligations.</p>