

# EXPOSURE DRAFT



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## Australian Prudential Regulation Authority Regulations 2018

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 2018

Peter Cosgrove  
Governor-General

By His Excellency's Command

Stuart Robert [DRAFT ONLY—NOT FOR SIGNATURE]  
Assistant Treasurer

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EXPOSURE DRAFT



**EXPOSURE DRAFT**

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**Contents**

1 Name ..... 1

2 Commencement ..... 1

3 Authority ..... 1

4 Schedules ..... 1

5 Definitions ..... 1

6 Cooperation with other agencies ..... 1

7 Liability to fringe benefits taxation ..... 2

8 Prescription of prudential regulation framework laws ..... 2

9 Secrecy—disclosure of protected information or production of protected document  
to specified agencies ..... 2

**Schedule 1—Repeals** ..... 4

*Australian Prudential Regulation Authority Regulations 1998* ..... 4



# EXPOSURE DRAFT

## 1 Name

This instrument is the *Australian Prudential Regulation Authority Regulations 2018*.

## 2 Commencement

- (1) Each provision of instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information        |  |              |
|---------------------------------|--|--------------|
| Column 1                        | Column 2                                     | Column 3     |
| Provisions                      | Commencement                                 | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. |              |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Australian Prudential Regulation Authority Act 1998*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 5 Definitions

In this instrument:

*Act* means the *Australian Prudential Regulation Authority Act 1998*.

## 6 Cooperation with other agencies

For the purposes of subsection 10A(1) of the Act, the following agencies are specified:

- (a) the Australian Bureau of Statistics;
- (b) the Australian Crime Commission;
- (c) the Australian Federal Police;
- (d) the Australian Securities and Investments Commission;

# EXPOSURE DRAFT

- (e) the Australian Transaction Reports and Analysis Centre (AUSTRAC);
- (f) the Commissioner of Taxation;
- (g) the Department administered by the Minister administering the *Private Health Insurance Act 2007*;
- (h) the Department of Treasury;
- (i) the Financial Reporting Council mentioned in section 225 of the *Australian Securities and Investments Commission Act 2001*;
- (j) the Police Force of a State or Territory; and
- (k) the Reserve Bank of Australia.

## 7 Liability to fringe benefits taxation

For the purposes of subsection 55(2) of the Act, subsection 55(1) of the Act does not apply in relation to the *Fringe Benefits Tax Assessment Act 1986*.

## 8 Prescription of prudential regulation framework laws

For the purposes of paragraph (o) of the definition of **prudential regulation framework law** in subsection 3(1) of the Act, the *Royal Commissions Act 1902* is prescribed for the purposes of section 56 of the Act.

## 9 Secrecy—disclosure of protected information or production of protected document to specified agencies

For the purposes of paragraph 56(5)(a) of the Act, the following agencies are specified:

- (a) the Australian Bureau of Statistics;
- (b) the Australian Crime Commission;
- (c) the Australian Federal Police;
- (d) the Australian Securities and Investments Commission;
- (e) the Australian Transaction Reports and Analysis Centre (AUSTRAC);
- (f) the Bank for International Settlements;
- (g) the Basel Committee on Banking Supervision;
- (h) the Commissioner of Taxation;
- (i) the Department administered by the Minister administering the *Agricultural and Veterinary Chemicals Act 1994*;
- (j) the Department administered by the Minister administering the *Private Health Insurance Act 2007*;
- (k) the Department of the Treasury;
- (l) the Financial Reporting Council mentioned in section 225 of the *Australian Securities and Investments Commission Act 2001*;
- (m) the Financial Stability Board;
- (n) the International Monetary Fund;
- (o) the Police Force of a State or Territory;
- (p) the Private Health Insurance Ombudsman;

# EXPOSURE DRAFT

- (q) the Reserve Bank of Australia;
- (r) the Superannuation Complaints Tribunal;
- (s) the Treasury of New Zealand; and
- (t) the World Bank Group.

# EXPOSURE DRAFT

Repeals Schedule 1

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## **Schedule 1—Repeals**

*Australian Prudential Regulation Authority Regulations 1998*

### **1 The whole of the instrument**

Repeal the instrument.