# Request for reform

As the custodian of Australia's financial affairs, the Treasurer plays a crucial role in ensuring the integrity of the country's financial system. Recently, concerns have been raised about the misuse of self-managed super funds (SMSF) by professionals to assist organisations they would be aware are running Ponzi schemes. These schemes involve using SMSFs created to lure unsuspecting investors into using their retirement funds to finance fraudulent investment ventures.

Despite the presence of regulatory bodies in Australia to protect consumers and taxpayers, these organisations have become complacent and ignored evidence presented in complaints and investigations. Despite the large volume of transactions involved, Ponzi investment schemes operated by developers have gone unnoticed by the ATO, ASIC, and even banking institutions.

This is particularly concerning given recent reports of the misappropriation of power by banks. In addition, the large scale of transactions conducted by private companies with no employees or substance could indicate money laundering. Despite this, operators of Ponzi schemes continue to purchase high-end luxury items. At the same time, unsuspecting SMSF trustees remain unaware of the legal implications they face when the scheme inevitably collapses and the director removes themselves from the situation.

In many insolvency matters, the ATO is an unsecured creditor and typically agrees to the administrators' requests without dispute or investigation. However, they continue to exercise their collection powers against Ponzi scheme victims. The current reforms and requests for submissions should address the issue of professional coercion and misuse of power, including the manipulation of superannuation structures and legislation.

The role of the treasurer in Australia is to manage the country's finances, including revenue collection, spending, and fiscal policy. However, this is a repetitive cycle, and we now face the exposure cycle as the economy corrects. These events are not unknown, and concerns have been raised about the misuse of self-managed superannuation funds (SMSFs) by unscrupulous developers running Ponzi schemes. These schemes often use SMSFs created by professionals to entice unsuspecting individuals to invest their retirement funds, promising high returns to assist their financial agendas.

Furthermore, the Australian Taxation Office (ATO) closely monitors SMSFs and can impose fines and disqualify trustees who breach the rules. The ATO may also prosecute individuals for fraud or other criminal offences in extreme cases. However, **there are no dedicated departments to offer support** or resolution in cases where unsophisticated investors are manipulated by Developers who present legitimate are registered with the Australian Securities and Investment Commission (ASIC).

In conclusion, while SMSFs can be an effective way for individuals to manage their retirement savings, it is essential to be cautious and seek professional advice before investing. Trustees must also ensure they understand their obligations and comply with all legal requirements to avoid any negative consequences. Unfortunately, these are only sometimes explained to the clients of this profession, who usually benefit from the Ponzi Operators and the introduction with no recourse for the non-existent Duty of Care.

Ultimately, it is the responsibility of the treasurer and the government to ensure that the rules around SMSFs are robust enough to protect investors from unscrupulous operators.

Several regulatory bodies in Australia deal with different aspects of consumer protection. Here are some of the main ones as the public are made aware.

1. Australian Securities and Investments Commission (ASIC): ASIC is responsible for regulating and enforcing laws related to financial services, including the licensing and conduct of financial advisers, superannuation, and investment schemes. They also provide information and assistance to consumers on financial matters.

2. Australian Taxation Office (ATO): The ATO is responsible for administering and enforcing tax laws in Australia. They provide information and guidance on tax matters, including self-managed super funds (SMSFs).

3. Australian Prudential Regulation Authority (APRA): APRA is responsible for regulating and supervising financial institutions, including banks, insurance companies, and superannuation funds, for ensuring they are financially sound and operating in the best interests of their members.

4. Australian Competition and Consumer Commission (ACCC): The ACCC enforces fair competition and consumer protection laws. They investigate and take action against businesses that engage in misleading or deceptive conduct, anti-competitive behaviour, and other breaches of consumer law.

5. Financial Ombudsman Service (FOS): The FOS is an independent dispute resolution service that helps consumers and small businesses resolve disputes with financial services providers, including banks, insurers, and financial advisers.

6. Superannuation Complaints Tribunal (SCT): The SCT is an independent dispute resolution service that helps consumers resolve disputes with their superannuation funds, including SMSFs.

7. Australian Securities Exchange (ASX): The ASX is responsible for regulating and operating Australia's primary securities exchange, where shares, bonds, and other securities are traded. They also provide information and education on investing and financial markets.

These are just some of the key regulatory bodies in Australia that consumers can seek assistance from in relation to SMSFs, Ponzi schemes, and other financial matters. All have failed the Public, and there is no justice for an action practically scripted by professionals who teach the Operator to avoid detection until it collapses. Then they teach how to rebuild and rebrand to another scheme. Regulators have yet to respond to the many detailed complaints and requests for action. With the economic uncertainty, we see more of these characteristics: historical offenders and supporters of many political circles.

After thirty-five years in diverse construction and property development fields, I have lived experience and outcomes from insolvency matters and banking disputes. However, something has not eventuated over the decade all involving innocent people who were prey and all incorporating the misuse of the Superannuation structure regardless of the amended legislation. This continues and is an even greater outrage than what we are discussing for the purposes of Politics.

Sincerely

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