

## AFCA SUBMISSION

Dear Minister,

I am an 82 year old Ex Farmer having been in farming business all my life, including ,Farm Consulting and 2years in the Solomon Islands as Cattle Overseer with Levers Pacific Plantations Limited and culminating in the formation and management of the, "Mobandilla Group" of unlisted public Companies. (now deregistered)

I obtained my fixed wing pilots license in 1961 and my rotary wing license in 1980 and operated Helicopters in my business from 1980 to 2012, used for personal transport, feral animal and pest control and cattle mustering

I make this submission on behalf of myself, as Majority Shareholder, Guarantor and Chairman of, Mobandilla Land Company Limited, and of all the other Mobandilla Group entities.

### Preamble.

As Members of Parliament (MPs and Senators) you are elected by the people to manage our country in the best interest of the majority of those that elected you, you are not elected to benefit your selves, the Bureaucrats that advise you or the Elite that work to influence you.

To date Treasury appears to be presiding over a culture that protects the Private Banking Cartel at the expense of the general public, their constituents, and I make the following observations:

- a. Government by their "Letters Patents/Terms of reference, limited the opportunity of the "Banking Royal Commission" to do its job fully or to take or recommend legal action against the Greed, Unlawful and Amoral acts of Bankers identified as doing wrong or unlawful acts.
- b. Current effort to pass and implement so called," Safe Lending Laws" to reduce Banks responsibility to their customers and further complicate and reduce the ability for wronged customers to legally challenge their Bank.
- c. The restrictions placed on AFCA (the reason for this Submission) to assist aggrieved borrowers and obtain **just** Remuneration.
- d. Of more recent times the Government acted to remove the Australian Post, CEO on a pretext, as she was working to improve the livelihoods of postmasters throughout Australia and support the public by using the post offices for offices of a Public Bank, again a move to protect Private Banks at the expense of the Australian people.
- e. Government sold our Peoples Bank, the Common-Wealth Bank, to private interests. This was the catalyst that unleashed the Greed and unlawful acts perpetrated by the Private Banking Cartel. Now all Australians are forced to use Private Banking for all

their Banking needs. While the Peoples CBA operated there was a fair and supportive alternative which also acted to restrict the Greed and unlawfulness perpetrated by the Private Banking Cartel. The People's owned Bank (CBA) was sold to Private interests without reference to the Australian people or a Referendum; I believe this to be a treasonous act.

- f. The above suggests a systemic concentration of protecting the Banks at all costs to the detriment of ordinary Australians.

In closing these comments I refer to an event of History that evolved when people's welfare became secondary to the Greed of the rich and powerful, when the burden of supporting unjust Laws and Government/Rulers greed, became too much for the ordinary people.

In France in 1789 a rebellion erupted that saw some 17000 of the privileged and Elite Guillotined and many more murdered. In these more modern times this may mean the annihilation of the political Party in power, as has just occurred in Western Australia.

#### AFCA engagement.

As a rural producer I have not even attempted to engage with AFCA for the following reasons:

1. The limit of \$2Million per claim is far too low as my claim is in the tens of millions.
2. The time frame was too limiting as my claim begins in June 2001 and completed with the assets sale in August 2012.
3. My claim is about the unlawful, amoral and unfair way the NAB Bank forced me/us into receivership on a technicality, without monetary default and by appointing my advisers as Receivers, without prior consultation and without advising any reason for the Receivership.
4. It's about the inability of the Receivers to sell the properties resulting in degraded properties being handed back after two years of neglect and increased debt.
5. It's about excessive interest and costs that resulted in a second receivership eleven (11) years after the first.
6. It's about the final sale of the last property for 40% of valuation
7. The forced (and in my view Illegal) sale of the assets left me with no alternative other than for my wife and I to become pensioners and now live off the Taxpayer, while my youngest Son died from Cancer which I believe was caused or at least contributed to by the years of extreme stress while he and his wife were working with me and when I had no financial capacity to fund the extreme medical care that may have saved his life.
8. As mentioned in the Preamble it appears to me that AFCA was implemented by Government to limit damage to the Banks not to assist most bank victims. This has

created the situation that a Bank can asset strip and defraud tens of millions of dollars from Rural business but the rural business can only claim two(2) Million dollars in restitution from the Bank

9. As with all legal matters we have redress to the Courts, but justice can only be gained if you have the financial means and Banks see that you are not left with this ability.
10. Following on from 9; above to achieve any worthwhile restitution for Bank victims of unjust and fraudulent banking and simple greed, AFCA needs the teeth and ability to take Banks to Court on behalf of aggrieved borrowers.
11. My first Receivership occurred in June 2001, the second in August 2012 which further restricts any assistance available from AFCA.

To make AFCA a real benefit to the Australian people requires an upgrade to its process and I recommend the following:

- . Have no limits to claim amounts, let the truth and facts be the limiting terms
- . Have no limit to the time the complaint occurred. Once again truth and justice should be the standard to deal with cases, not time limits.
- . Extend the teeth of the Complaints Authority to be able to run Court cases or have another funded arm of the system so those Bank victims' complaints with solid evidence of Bank wrong doing can receive justice.
- . I understand Michael Sanderson has been consistently lobbying parliament for a process of "Equality of Arms" for Bank victims, which I fully support.
- . I believe AFCA needs to be accountable in all its dealings, therefore I believe it needs to answer to Senate Estimates with its own full day of questioning, so Senators can question every aspect of the process.
- . I believe that if Treasury does not improve the AFCA process along these lines, it will continue to fail our country and its citizens, especially those like myself who cannot afford justice through being deceived and treated corruptly by the NAB Bank