



21 March 2018

Mr Wayne Poels
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600

Email: helpdesk-OBPR@pmc.gov.au

Dear Mr Poels

BANKING (EXEMPTION) ORDER NO. 82

I am writing to the Office of Best Practice Regulation (OBPR) regarding Banking (Exemption) Order No. 82 which, as per the *Legislative Instruments Act 2003*, had been scheduled to sunset on 1 April 2018.

The Australian Prudential Regulation Authority certifies that Banking (Exemption) Order No. 82 is operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this regulation to be remade. However, it has been decided that the instrument is to be remade as Banking exemption No 1 of 2018 with amendments designed to more appropriately reflect current provisions in the *Banking Act 1959* relating to depositor priority and the Financial Claims Scheme in disclosure requirements and to reflect current industry disclosure coverage.

This decision has been informed by consultation with the Australian Treasury, the Reserve Bank of Australia and in response to submissions from a legal adviser behalf of industry participants.

I acknowledge that the OBPR will publish this letter for transparency purposes.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Pat Brennan'.

Pat Brennan
Executive General Manager
Policy and Advice Division