

Annual Report for period ended 30 June 2017

This is the inaugural Annual Report of the Australian Collectors & Debt Buyers Association [“**ACDBA**”] Code Compliance Monitoring Committee [“**CMC**”]¹ issued for the period commencing 16 March 2016 and ending 30 June 2017 [“**Reporting Period**”] pursuant to the Code Compliance Monitoring Committee Charter [“**Charter**”] of the Australian Collectors & Debt Buyers Association Limited Code of Practice [“**Code**”].

ACDBA was established in May 2009 for the benefit of companies who collect & buy debt. ACDBA's work in improving the collections environment (legislative and regulatory) provides appreciable benefits to members, clients and other practitioners. Membership in ACDBA is voluntary and open to all interested collectors & buyers.

On 16 March 2016, ACDBA launched its Code and Charter, which are binding on all members [“**Subscribers**”]. The Code is a condition of ACDBA membership and an important step in evidencing the promotion of ethical, compliant and responsible activity by Subscribers.

In accordance with the Charter, the CMC has been established to investigate alleged breaches of and to monitor compliance by Subscribers to the Code. The CMC comprises an Independent Chair and a member to represent the interests of Consumers and a member to represent the interests of Subscribers to the Code. The CMC has appointed ACDBA's CEO as its Compliance Manager to undertake compliance functions on its behalf.

Activities:

1. The Code was launched on 16 March 2016 as a mandatory requirement of ACDBA membership.
2. The following were appointed for a three (3) year term as the inaugural members of the ACDBA CMC:
 - As Independent Chair: Mr Peter Boehm;
 - To represent Consumers: Ms Fiona Hawkins; and
 - To represent Subscribers to the Code: Mr Michael Watkins.
3. During the Reporting Period, the CMC met in accordance with the Charter to discharge its responsibilities on 21 June 2016, 30 September 2016, 9 December 2016, 3 March 2017, 11 April 2017 and 22 May 2017. All CMC members were in attendance for each meeting. The CMC members did not disclose any conflict of interest.

¹ Issued pursuant to Section D.12 of the Charter

4. The priority task completed by the CMC during the Reporting Period was the development of and the adoption of procedures and key documents to support the CMC to respond expeditiously and transparently to complaints received against Subscribers regarding an alleged breach of the Code. Secondary to this task was the development of an Annual Compliance Statement template for Subscribers to report compliance to the Code during the Reporting Period.
5. Subscribers are required by the Code to publicise the Code by providing copies of the Code upon request from consumers and by publishing a link to the Code on the Subscriber's website. The CMC during the Reporting Period verified a link to the Code was published on the websites of all Subscribers.

Annual Compliance Statements:

Annual Compliance Statements² as at 30 June 2017 were received from all Subscribers, being:

ACM Group Limited	Complete Credit Solutions Pty Ltd
Australian Receivables Limited	Credit Collection Services Group Pty Ltd
Axess Australia Pty Ltd	Credit Corp Group Limited
Baycorp (Aust) Pty Ltd	Credit Four Pty Ltd
CCC Financial Solutions Pty Ltd	Dun & Bradstreet (Australia) Pty Ltd
CFMG Pty Ltd	National Credit Management Limited
Charter Mercantile Pty Ltd	Panthera Finance Pty Ltd
Collection House Limited	Shield Mercantile Pty Ltd

The format of the Annual Compliance Statement is included as Annexure A to this report.

Referrals:

During the Reporting Period, there were no referrals from ACDBA to the CMC.

Compliance investigations:

During the Reporting Period, as there were no complaints received from consumers or any other parties alleging that a Subscriber had breached the Code, no compliance investigations were undertaken.

This inaugural Annual Report is issued following its unanimous adoption on 1 December 2017 by the CMC.



1 DEC 2017

Peter Boehm
Independent Chair

² Copies of lodged Annual Compliance Statements are available for inspection by contacting the Compliance Manager by emailing: compliance@acdba.com

Annexure A

Annual Compliance Statement

for period 19 March 2016 to 30 June 2017

Subscriber Name:

As a Subscriber of the **Australian Collectors & Debt Buyers Association (ACDBA) Code of Practice (Code)**, we hereby agree to abide by and to comply with the objectives, principles and obligations set out in the Code.

Further, we commit to the spirit and intent of the Code as a condition of our membership of ACDBA.

We confirm our organisation has complied with the Code during the above reporting period, in connection with each of the following:

1. Understanding Code Responsibilities

- a. Our Board of Directors have each read and understood the Code OR have been made aware of the obligations arising from the Code to which the company subscribes Yes No
- b. Our Collections Management have each read and understood the Code Yes No
- c. Our Collections Staff Members have each been trained in respect to the obligations arising from the Code Yes No
- If not, by what date will full compliance to each of the above be achieved? Date: / /

2. Delivering Code Commitments

- a. The Code has been circulated to our Collections Staff Yes No
If not, by what date will full compliance be achieved? Date: / /
- b. Engaging with Consumers:
- i. We provide general information about a consumer's rights and obligations arising out of our collections activities Yes No
- ii. We act fairly and reasonably towards consumers in a legal, equitable and transparent manner when dealing with consumers in our collections activities Yes No
- iii. We communicate and conduct our business in a courteous and respectful manner using plain language Yes No

iv. We do not engage in aggressive, deceptive, deceitful, oppressive or improper practices when dealing with consumers in our collections activities Yes No

v. We do not imply an intention to proceed with litigation or insolvency proceedings against consumers if such action is not possible, not intended or not being considered Yes No

vi. We comply with all relevant laws and best practice guidelines relating to the Australian collections industry including the ACCC/ASIC Debt Collection Guideline Yes No

If not, by what date will full compliance to each of the above be achieved? Date: / /

c. Complaints handling:

i. We have a Complaints Handling Policy and Process and this is available on our website Yes No

ii. We handle complaints promptly and fairly Yes No

iii. We provide consumers with information on avenues for resolving disputes if we are unable to reach agreement with the consumer Yes No

iv. We have an Internal Dispute Resolution (IDR) Policy and Process and this is available on our website Yes No

v. We have an External Dispute Resolution (EDR) Policy and Process (where required) and this where applicable is available on our website Yes No N/A

If not, by what date will full compliance to each of the above be achieved? Date: / /

d. We have a Financial Hardship Policy and Process and this is accessible on our website Yes No

If not, by what date will full compliance be achieved? Date: / /

3. Visibility and Access to the Code

a. The Code is displayed in a readily visible manner at our offices Yes No

b. The Code is made available to consumers by electronic communication or by mail upon request Yes No

c. The Code has been placed on our website in a location we believe the public will be able to easily locate Yes No

If not, by what date will full compliance to each of the above be achieved? Date: / /

4. Communication and Training

- a. Our Staff have been fully trained in relation to the Code and their obligations to comply with the Code in all collection activities Yes No
- b. Our Staff have adequate knowledge of the provisions of the Code and its application to collections activities Yes No
- c. Our Staff competently and efficiently undertake their collections activities in compliance with the Code Yes No
- If not, by what date will full compliance to each of the above be achieved? Date: / /

Subscriber Acknowledgement and Sign Off

Name of Subscriber: _____

Authorised Signatory and Position: _____

[to be signed by CEO/Managing Director/Business Owner]

Signature: _____

Dated: _____

Information:

This Annual Compliance Statement should be completed and signed by the Authorised signatory of the Subscriber not prior to 30 June 2017 and lodged with Australian Collectors & Debt Buyers Association no later than 30 September 2017 by sending it to:

Compliance Manager
Code Monitoring Committee
Australian Collectors & Debt Buyers Association
Email: compliance@acdba.com
Postal: PO Box 295 Waratah NSW 2298