

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Section 1: Overview, Appropriations and Budget Measures Summary

OVERVIEW

The Australian Securities and Investments Commission (ASIC) is an independent government body that enforces and administers the Corporations Law and consumer protection law for investments, life and general insurance, superannuation and banking (except lending) throughout Australia. The Commission is established under the *Australian Securities and Investments Commission Act 1989*.

ASIC has the function of monitoring and promoting market integrity and consumer protection in relation to:

- the Australian financial system;
- the provision of financial services; and
- the payments system.

APPROPRIATIONS

The total appropriations for ASIC in the 2000-01 Budget are \$148.1 million. Table 1.1, on the following page, shows the total appropriations by price output appropriation and administered expenses.

Part C: Agency Budget Statements — ASIC

Australian Securities and Investments Commission — Appropriations 2000-01

Table 1.1: Appropriations (\$'000)

Outcomes	Agency (Price of Outputs)					Administered				
	Revenue from Government (Appropriations)			Revenue from Other Sources ^(a)	Price of Outputs	Annual Appropriations		Special Approps ^(b)	Total Administered Appropriations	Total Appropriations
	Bill No. 1	Special Approps	Total			Bill No. 1	Bill No. 2 (SPPs & NAOs)			
	(A)	(B)	(C=A+B)	(D)	(E= C+D)	(F)	(G)	(H)	(I=F+G+H)	(J=C+I)
Outcome 1 — A fair and efficient market characterised by integrity and transparency and supporting confident and informed participation of investors and consumers	130,111	-	130,111	4,775	134,886	-	-	18,025	18,025	148,136
Total	130,111	-	130,111	4,775	134,886	-	-	18,025	18,025	148,136
Agency Capital (Equity Injections and Loans)										-
Administered Capital										-
Total Appropriations										148,136

(a) Revenue from Other Sources includes other revenue from Government (for example, resources free of charge) and revenue from sources other than Government (for example, sales of goods and services)

(b) Estimated expenses from Special Appropriations are shown in Appendix 1.

BUDGET MEASURES SUMMARY — AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Table 1.2: Summary of Measures Disclosed in the 2000-01 Budget

Measure	Outcome	Output Groups Affected	Appropriations Budget 2000-01 (\$'000)			Appropriations Forward Estimate 2001-02 (\$'000)			Appropriations Forward Estimate 2002-03 (\$'000)			Appropriations Forward Estimate 2003-04 (\$'000)		
			Administ'd Expenses	Agency Outputs	Total	Administ'd Expenses	Agency Outputs	Total	Administ'd Expenses	Agency Outputs	Total	Administ'd Expenses	Agency Outputs	Total
Continuation of managed investments regulation	1	1.1	-	2,900	2,900	-	-	-	-	-	-	-	-	-
Transfer of responsibility for unclaimed moneys from the States and Territories to the Commonwealth	1	1.1	3,025	300	3,325	3,025	300	3,325	3,025	200	3,225	3,025	200	3,225

ADMINISTERED CAPITAL AND AGENCY CAPITAL (EQUITY INJECTIONS AND LOANS)

ASIC does not have an appropriation for an equity injection or loan or an appropriation for administered capital in 2000-01.

Section 2: Outcomes and Outputs Information

OUTCOMES AND OUTPUT GROUPS

The map on the following page shows the relationship between Government outcomes and the contributing outputs for the Australian Securities and Investments Commission (ASIC). Financial detail for Outcome 1 by output appears in Table 2.1 while non-financial information for Outcome 1 appears in Table 2.2.

The activities contributing to each output include:

Policy and guidance about the laws administered by ASIC:

- The design and drafting of policy statements, practice notes, guidance documents, class orders, applications for relief and modifications to the law, and all education and liaison activities.

Comprehensive and accurate information on companies and corporate activity:

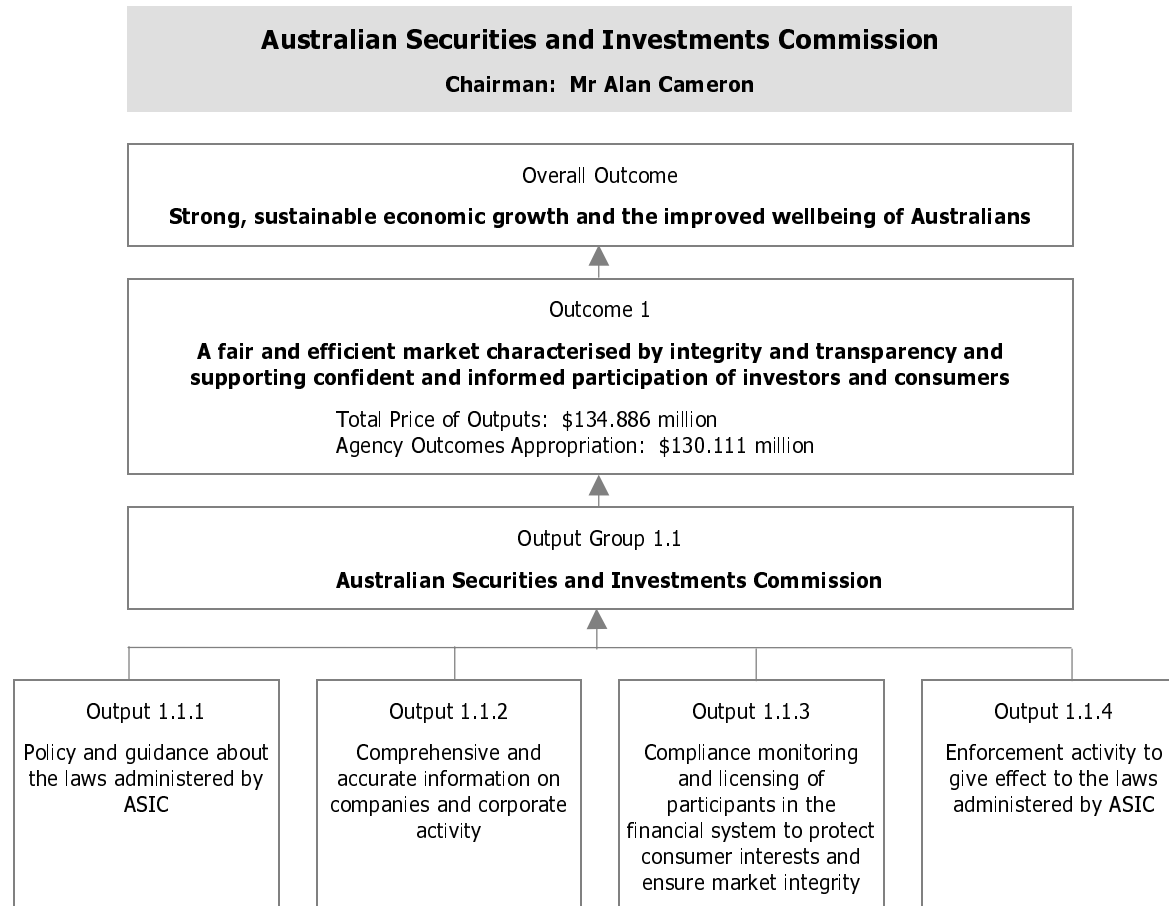
- All document registration and associated functions — ranging from annual returns, changes of directors, and substantial shareholder notices, to prospectuses and Part A or Part C statements of the Corporations Law — as well as the ‘consequential’ activities accompanying such registration, such as penalties, etc.

Compliance monitoring and licensing of participants in the financial system to protect consumer interests and ensure market integrity:

- Compliance checking, surveillance, managing complaints, analysis and targeting.

Enforcement activity to give effect to the laws administered by ASIC:

- Investigations, civil and criminal litigation, administrative and banning action.



CHANGES TO OUTCOMES AND OUTPUTS

There are no proposed changes in outcomes or outputs since the previous year.

OUTCOME 1

A fair and efficient market characterised by integrity and transparency and supporting confident and informed participation of investors and consumers

MEASURES AFFECTING OUTCOME 1

Continuation of managed investments regulation

The Government will provide the Australian Securities and Investments Commission (ASIC) with funding in 2000-01 so it can continue to monitor and regulate managed investment funds. This will enable ASIC to promote and maintain high standards of disclosure and compliance in the managed investments industry. Ongoing funding is pending the outcome of a review of the *Managed Investments Act 1998* by a Parliamentary committee in 2000-01.

The *Managed Investments Act 1998* established a new regime for the regulation and structure of managed investment schemes, such as unit trusts. Resources were allocated to ASIC in the 1998-99 Budget to fund the establishment of the regime and the initial registration and licensing of the schemes in existence at that time during a two year transitional period.

Transfer of responsibility for unclaimed moneys from the States and Territories to the Commonwealth

The Government will provide the Australian Securities and Investments Commission (ASIC) with funding to administer unclaimed moneys from non-bank Authorised Deposit-taking Institutions.

The figures shown in Table 1.2 include provision for the refund of unclaimed moneys, administered through the *Banking Act 1959*.

The Commonwealth, through ASIC, will now administer the unclaimed moneys from non-bank Authorised Deposit-taking Institutions. With the proclamation of the *Financial Sector Reform (Amendments and Transitional Provisions) Act 1999*, this administrative function has been transferred from the States and Territories to the Commonwealth of Australia.

By consolidating the administration of unclaimed moneys for all financial institutions with ASIC, depositors will now only have to deal with one agency.

RESOURCES FOR OUTCOME 1

Table 2.1 shows how the 2000-01 appropriation and program structure relates to total resourcing for Outcome 1.

Table 2.1: Total Resources for Outcome 1 (\$'000)

	Estimated Actual 1999-00 (\$'000)	Budget Estimate 2000-01 (\$'000)
Administered appropriations		
<i>Banking Act 1959</i>	-	18,025
Total administered expenses	-	18,025
Agency appropriations		
Output group 1.1 — Australian Securities and Investments Commission		
Output 1.1.1 — Policy and guidance about laws administered by ASIC.	13,594	13,361
Output 1.1.2 — Comprehensive and accurate information on companies and corporate activity.	40,137	39,449
Output 1.1.3 — Compliance monitoring and licensing of participants in the financial system to protect consumer interests and ensure market integrity.	23,629	23,224
Output 1.1.4 — Enforcement activity to give effect to the laws administered by ASIC.	55,021	54,077
Subtotal output group 1.1	132,381	130,111
Total revenue from Government (appropriations)	132,381	130,111
Contributing to price of agency outputs	95.9%	96.5%
Revenue from other sources	5,685	4,775
Total revenue from other sources	5,685	4,775
Total price of agency outputs		
<i>(Total revenue from Government and from other sources)</i>	138,066	134,886
Total estimated resourcing for outcome 1		
<i>(Total price of outputs and admin expenses)</i>	138,066	152,911
	1999-00	2000-01
Average staffing levels (number)	1,270	1,270

OUTCOME 1 — CONTRIBUTION OF OUTPUTS

The outputs reflect the programmes and activity that ASIC undertakes in fulfilling its function as a government regulatory authority and are essential for the achievement of the Government's outcome.

The Government seeks to ensure that consumers are adequately informed about the financial market and adequately protected from investing in improper and unfair financial products. To achieve this ASIC aims to reduce fraud and unfair practices in financial markets and financial products so consumers use them confidently and companies and markets perform effectively.

In carrying out its responsibilities the Commission strives for:

- high quality regulation at a reasonable cost to the market; and
- responsive, intelligent and consistent customer service, clearly communicated and with a strong educative role.

PERFORMANCE INFORMATION FOR OUTCOME 1

Table 2.2: Performance Information 2000-01

Performance information for agency outputs

Output Group 1.1 — Australian Securities and Investments Commission

Output 1.1.1 — Policy and guidance about the laws administered by ASIC.	In financial year 2000-01, ASIC will measure: The extent to which policy and processes associated with new law are in place; The extent to which consumers, investors and other stakeholders are consulted during policy formulation; Infoline calls resolved during first call; and Complaints to ASIC dealt within 28 days.
Output 1.1.2 — Comprehensive and accurate information on companies and corporate activity.	Annual returns lodged electronically; Searches conducted on-line; and Company information lodged on time.
Output 1.1.3 — Compliance monitoring and licensing of participants in the financial system to protect consumer interests and ensure market integrity.	ASIC's objective is to focus compliance activities on specific patterns, problems or risk areas and to respond to these problems with integrated national campaigns that use a range of regulatory tools. Generic performance indicators are not appropriate for this approach. Specific indicators will be developed for each campaign. In addition the following measures apply: Final securities industry licences issued within 60 business days of application; Managed investment licence application — letter of offer/refusal sent within 30 business days; and Managed investment scheme registration — schemes registered within 10 business days (legislative timing 14 days).
Output 1.1.4 — Enforcement activity to give effect to the laws administered by ASIC.	Investigations finalised within 12 months of resourcing.

Evaluations

ASIC's new regulatory system will be subject to a review after five years by the Financial Sector Advisory Council.

Information on evaluation activity that relates to this outcome is included in Table 2.2 above and the results will be shown in ASIC's Annual Report.

Competitive Tendering and Contracting

ASIC is in the process of testing the outsourcing of its Information Technology function in accordance with Government policy.

Section 3: Budgeted Financial Statements

The budgeted financial statements will form the basis of the financial statements that will appear in the Australian Securities and Investments Commission's 2000-01 Annual Report and form the basis for the input into the Whole of Government Accounts. The financial statements should be read in conjunction with the accompanying notes.

The budgeted financial statements have been prepared in accordance with the GST accounting guidelines of the Urgent Issues Group (UIG) of the Australian Accounting Research Foundation. The UIG consensus requires that expenses and assets be accounted for net of recoverable GST, revenues be accounted for net of GST payable and that cash flows and accounts payable and receivable be reported gross. Appropriations are thus net of recoverable GST amounts.

Budget Statement of Revenues and Expenses (Budget Operating Statement)

This statement provides a picture of the expected financial results for ASIC by identifying full accrual expenses and revenues, which highlights whether ASIC is operating at a sustainable level.

Budget Statement of Assets and Liabilities (Budget Balance Sheet)

This statement shows the financial position of ASIC. It enables decision makers to track the management of ASIC's assets and liabilities.

Budget Cash Flow Statement

This statement identifies expected cash flows from operating activities, investing activities and financing activities.

Capital Budget Statement

This statement shows all proposed capital expenditure funded through the Budget as appropriations or from internal sources.

Non-financial Assets — Summary of Movement

This statement shows the movement in ASIC's non-financial assets over the Budget year 2000-01.

**Table 3.1: Agency Budget Statement of Revenues and Expenses
(for the period ended 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Operating revenue					
Revenues from Government	132,381	130,111	133,943	133,670	133,795
Sale of goods and services	4,085	3,275	3,275	3,275	3,275
Interest	1,500	1,400	1,400	1,400	1,400
Net gains from sales of assets	100	100	100	100	100
Total operating revenues (before abnormal items)	138,066	134,886	138,718	138,445	138,570
Operating expenses					
Employees	81,438	83,164	77,454	76,874	77,080
Suppliers	53,023	49,095	54,450	55,326	56,043
Depreciation and amortisation	7,831	7,246	6,464	5,895	5,097
Write-down of assets	1,554	350	350	350	350
Interest	225	-	-	-	-
Total operating expenses	144,071	139,855	138,718	138,445	138,570
Operating surplus or deficit before abnormal and extraordinary items	-6,005	-4,969	-	-	-
Abnormal and extraordinary items	-	-	-	-	-
Operating surplus or deficit after abnormal and extraordinary items and CUC	-6,005	-4,969	-	-	-

**Table 3.2: Agency Budget Statement of Assets and Liabilities
(as at 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Assets					
Financial assets					
Cash	6,528	1,575	6,458	11,001	14,725
Receivables	1,784	1,784	1,783	1,784	1,784
Total financial assets	8,312	3,359	8,241	12,785	16,509
Non-financial assets					
Land and buildings	5,700	4,956	4,282	3,608	2,934
Infrastructure, plant and equipment	12,069	10,407	7,457	4,419	1,775
Intangibles	2,526	1,465	404	-	-
Other	1,939	1,844	1,803	1,782	1,781
Total non-financial assets	22,234	18,672	13,946	9,809	6,490
Total assets	30,546	22,031	22,187	22,594	22,999
Liabilities					
Debt					
Loans	2,772	-	-	-	-
Leases	8,060	6,511	5,666	5,095	4,523
Total debt	10,832	6,511	5,666	5,095	4,523
Provisions and payables					
Employees	22,582	23,582	24,583	25,561	26,538
Suppliers	1,259	1,259	1,259	1,259	1,259
Other	225	-	-	-	-
Total provisions and payables	24,066	24,841	25,842	26,820	27,797
Total liabilities	34,898	31,352	31,508	31,915	32,320
Equity					
Reserves	325	325	325	325	325
Accumulated surpluses or deficits	-4,677	-9,646	-9,646	-9,646	-9,646
Total equity	-4,352	-9,321	-9,321	-9,321	-9,321
Current liabilities	16,751	15,049	15,124	15,319	15,514
Non-current liabilities	18,147	16,303	16,384	16,596	16,806
Current assets	10,251	5,203	10,044	14,567	18,290
Non-current assets	20,295	16,828	12,143	8,027	4,709

**Table 3.3: Agency Budget Cash Flow Statement
(for the period ended 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Operating activities					
Cash received					
Appropriations for outputs	132,381	130,111	133,943	133,670	133,795
Sales of goods and services	3,300	3,210	3,151	2,716	2,716
Interest	1,500	1,400	1,400	1,400	1,400
Total cash received	137,181	134,721	138,494	137,786	137,911
Cash used					
Employees	80,042	82,098	76,387	75,398	75,602
Suppliers	53,344	50,775	55,195	55,816	56,556
Total cash used	133,386	132,873	131,582	131,214	132,158
Net cash from operating activities	3,795	1,848	6,912	6,572	5,753
Investing activities					
Cash received					
Proceeds from sales of property, plant and equipment	125	125	125	125	125
Total cash received	125	125	125	125	125
Cash used					
Purchase of property, plant and equipment	4,144	4,154	2,154	2,154	2,154
Total cash received	4,144	4,154	2,154	2,154	2,154
Cash used					
Repayments of debt	2,050	2,772	-	-	-
Total cash used	2,050	2,772	-	-	-
Net cash from financing activities	-2,050	-2,772	-	-	-
Net increase in cash held	-2,274	-4,953	4,883	4,543	3,724
Cash at the beginning of the reporting period	8,802	6,528	1,575	6,458	11,001
Cash at the end of the reporting period	6,528	1,575	6,458	11,001	14,725

**Table 3.4: Agency Capital Budget Statement
(for the period ended 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Funded by capital appropriations	-	-	-	-	-
Funded internally by agency resources	4,144	4,154	2,154	2,154	2,154

Part C: Agency Budget Statements — ASIC

Table 3.5: Agency Non-financial Assets — Summary of Movement

	Land	Buildings	Total Land and Buildings	Other Infrastructure, Plant and Equipment	Total Infrastructure, Plant and Equipment	Intangibles	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Gross value							
<i>As at 1 July 2000 (opening)</i>	30	7,937	7,967	35,735	35,735	5,304	49,006
Additions	-	219	219	3,935	3,935	-	4,154
Disposals	-	-	-	-2,300	-2,300	-	-2,300
Other movements	-	-	-	-	-	-	-
<i>As at 30 June 2001 (closing)</i>	30	8,156	8,186	37,370	37,370	5,304	50,860
Accumulated depreciation							
<i>As at 1 July 2000 (opening)</i>	-	2,267	2,267	23,666	23,666	2,778	28,711
Disposals	-	-	-	-1,925	-1,925	-	-1,925
Charge for the reporting period	-	963	963	5,222	5,222	1,061	7,246
Other movements	-	-	-	-	-	-	-
<i>As at 30 June 2001 (closing)</i>	-	3,230	3,230	26,963	26,963	3,839	34,032
Net book value as at 30 June 2001 (Closing book value)	30	4,926	4,956	10,407	10,407	1,465	16,828
Net book value as at 1 July 2000 (Opening book value)	30	5,670	5,700	12,069	12,069	2,526	20,295
Total additions							
Self funded	-	219	219	3,935	3,935	-	4,154
Appropriations							
Total	-	219	219	3,935	3,935	-	4,154

**Table 3.6: Statement of Administered Revenues and Expenses
(for the period ended 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Operating revenues					
Non-taxation					
Revenues from Government	-	18,025	18,025	18,025	16,025
Other sources of non-taxation revenues	344,944	371,044	376,250	381,535	385,843
Total non-taxation	344,944	389,069	394,275	399,560	401,868
Total operating revenues	344,944	389,069	394,275	399,560	401,868
Operating expenses					
Other	6,000	23,025	22,025	22,025	19,025
Total operating expenses	6,000	23,025	22,025	22,025	19,025
Abnormal/extraordinary items	-	-	-	-	-
Net contribution or cost to the budget outcome	338,944	366,044	372,250	377,535	382,843
Transfers to the official public account	-338,355	-373,044	-374,401	-379,658	-383,966
Account remitted from administered revenues	-	-	-	-	-
Net surplus or deficit	589	-7,000	-2,151	-2,123	-1,123

**Table 3.7: Statement of Administered Assets and Liabilities
(as at 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Assets					
Financial assets					
Cash	2,000	2,000	1,000	1,000	1,000
Receivables	18,764	66,160	69,484	71,836	70,713
Accrued revenues	8,142	-	-	-	-
Total financial assets	28,906	68,160	70,484	72,836	71,713
Total assets	28,906	68,160	70,484	72,836	71,713
Liabilities					
Provisions and payables					
Other	1,420	47,674	52,149	56,624	56,624
Total provisions and payables	1,420	47,674	52,149	56,624	56,624
Total liabilities	1,420	47,674	52,149	56,624	56,624
Equity					
Accumulated surplus or deficits	27,486	20,486	18,335	16,212	15,089
Total equity	27,486	20,486	18,335	16,212	15,089
Current liabilities	1,420	15,296	16,639	18,833	18,833
Non-current liabilities	-	32,378	35,510	37,791	37,791
Current assets	28,906	35,782	34,974	35,045	33,922
Non-current assets	-	32,378	35,510	37,791	37,791

**Table 3.8: Administered Cash Flow Statement
(for the period ended 30 June)**

	Estimated Actual 1999-00 \$'000	Budget Estimate 2000-01 \$'000	Forward Estimate 2001-02 \$'000	Forward Estimate 2002-03 \$'000	Forward Estimate 2003-04 \$'000
Operating activities					
Cash received					
Other taxes, fees and fines	332,314	378,044	377,401	383,658	386,966
Appropriations	-	18,025	18,025	18,025	16,025
Total cash received	332,314	396,069	395,426	401,683	402,991
Cash used					
Cash to official public account	338,355	373,044	374,401	379,658	383,966
Other	-	23,025	22,025	22,025	19,025
Total cash used	338,355	396,069	396,426	401,683	402,991
Net cash from operating activities	-6,041	-	-1,000	-	-
Total cash used	-	-	-	-	-
Net cash from investing activities	-	-	-	-	-
Financing activities					
Net increase in cash held	-6,041	-	-1,000	-	-
Cash at beginning of reporting period	8,041	2,000	2,000	1,000	1,000
Cash at end of reporting period	2,000	2,000	1,000	1,000	1,000

NOTES TO THE FINANCIAL STATEMENTS

Agency

Budget Statement of Revenues and Expenses (Budgeted Operating Statement)

Operating Revenue

Revenues from Government

The amount appropriated in 2000-01 is lower than in 1999-2000. This is largely due to cost reductions from Government tax reforms, a reduction in Corporations Law Economic Reform Project (CLERP) 7 funding and other Government efficiency measures. There is an increase in the appropriation in 2001-02 reflecting an increase in CLERP 7 funding.

Operating Expenses

Employee Expenses

There is currently a reduction in employee costs after 2000-01 because of the discontinuation of funding for the Managed Investments Scheme. The continuation of this funding is to be the subject of a parliamentary review during 2000-01.

Suppliers Expenses

These expenses decline in 2000-01 in direct proportion to the drop in funding and due to the impact of anticipated savings from the introduction of the GST and the abolition of wholesale sales tax. There is a significant increase in 2001-02 to reflect expenditure arising from the Government's IT Outsourcing initiative.

Depreciation

There is a downward trend in depreciation expense due to the assumed outsourcing of depreciable IT assets.

Budget Statement of Assets and Liabilities (Budget Balance Sheet)

Liabilities

Leases

This balance represents liabilities arising out of lease incentives and surplus space on non-cancellable leases.

Lease incentives are recognised as a liability and are reduced by allocating lease payments between rental expense in the operating statement and the deferred lease incentive liability over the term of the lease.

Surplus space on non-cancellable leases is recognised as a liability after netting probable sub-lease revenue. The liability is reduced by allocating the difference between the operating lease rentals and the probable sub-lease revenue over the term of the lease.

Employee Provisions

The liability for employee entitlements represents accrued salaries, annual leave and long service leave.

Assets

Infrastructure, Plant and Equipment

The net book value is declining as a result of the proposed outsourcing of depreciable IT assets.

Administered

Budget Statement of Revenues and Expenses (Budgeted Operating Statement)

Operating Revenue

Other sources of non taxation revenues

This balance represents Corporations Law fees and charges and unclaimed moneys relating to banks, and non-banking institutions including credit unions and building societies.

Budget Statement of Assets and Liabilities (Budget Balance Sheet)

Assets

Receivables

This balance represents amounts receivable for Corporations Law fees and charges and unclaimed moneys relating to banks and non-banking institutions including credit unions and building societies. For Corporations Law, the amounts are receivable from companies whereas in the case of unclaimed moneys, the amounts are receivable from the Government via a special appropriation. The balance is higher in 2000-01 than 1999-2000 because the transfer of the unclaimed banking moneys function from Treasury and the States and Territories to ASIC takes effect from 1 July 2000.

Liabilities

Other payables

This balance represents amounts payable for Corporations Law fees and charges and unclaimed moneys relating to banks and non-banking institutions including credit unions and building societies. For Corporations Law, the amounts are payable to the Government whereas in the case of unclaimed moneys, the amounts are payable to

Part C: Agency Budget Statements — ASIC

banks and non-banking institutions. The balance is higher in 2000-01 than 1999-2000 because the transfer of the unclaimed banking moneys function from Treasury and the States and Territories to ASIC takes effect from 1 July 2000.

Appendix 1

Estimates of Expenses from Special Appropriations

	Estimated Expense 1999-00 \$'000	Estimated Expense 2000-01 \$'000
<i>Banking Act 1959</i>	-	18,025
Total estimated expenses	-	18,025