



## Reporting Standard DRS 210.0

### Outstanding Claims Liabilities

#### Objective of this reporting standard

This reporting standard is made under section 13 of the *Financial Sector (Collection of Data) Act 2001*. It requires all DMF entities to provide to APRA, on an annual basis, the *Form DRF 210.0 Outstanding Claims Liabilities*.

This reporting standard outlines the overall requirements for the provision of this information to APRA. It should be read in conjunction with the form and the associated instructions (which are attached and form part of this reporting standard).

#### Purpose

1. Information collected in *Form DRF 210.0 Outstanding Claims Liabilities (Form DRF 210.0)* is used by APRA for the purpose of monitoring bodies in the finance sector.

#### Application and commencement

2. This reporting standard applies to all DMF entities from 1 January 2008.

#### Information required

3. A DMF entity must provide APRA with the information required by Form DRF 210.0, in respect of:
  - (a) the DMF; and
  - (b) in those cases where a DMF comprises a number of individual subfunds and each subfund has a distinct bank account and financial statement, each subfundfor each reporting period.

## **Forms and method of submission**

4. The information required by this reporting standard must be given to APRA either:
  - (a) in electronic form using the 'Direct to APRA' application, applying one of the electronic submission mechanisms under that application; or
  - (b) by manually completing Form DRF 210.0 on paper and mailing the completed form to APRA's head office at Level 26, 400 George Street, Sydney, New South Wales.
5. Where the information is submitted by means of an agent to whom the DMF entity has outsourced the function of providing the information on the DMF entity's behalf, the agent may only provide the information in accordance with paragraph 4(b) if the agent has contacted APRA and advised that the agent cannot submit the information in electronic form under paragraph 4(a).

*Note:* the 'Direct to APRA' software and relevant forms is obtained from APRA.

## **Reporting periods and due dates**

6. A DMF entity must provide the information required by this reporting standard in respect of each year of income of the DMF.
7. APRA may, by notice in writing, change the reporting periods, or specified reporting periods, for a particular DMF entity to require it to provide the information:
  - (a) more frequently (if, having regard to the particular circumstances of the DMF entity, APRA considers it necessary or desirable to obtain information more frequently); or
  - (b) less frequently (if, having regard to the particular circumstances of the DMF entity, APRA considers it unnecessary to require the DMF entity to provide the information as frequently as provided by paragraph 6).
8. The information must be provided to APRA:
  - (a) if the end of the year of income of the DMF falls between 1 January 2008 and 30 June 2008, inclusive – by no later than 30 October 2008; or
  - (b) if the end of the year of income of the DMF falls after 30 June 2008 – within 4 months after the end of that year of income of the reporting period to which it relates.
9. APRA may grant an extension of a due date in writing, in which case the new due date for the provision of the information will be the date on the notice of extension.

## **Quality control**

10. The information provided under this reporting standard must be the product of processes and controls developed by the DMF entity for the internal review and authorisation of that information. It is the responsibility of the DMF entity to ensure that an appropriate set of policies and procedures for the authorisation of data submitted to APRA is in place.

## **Authorisation**

11. If the officer of a DMF entity provides the information required by this reporting standard under paragraph 4, then:
  - (a) if the officer uses the 'Direct to APRA' application under paragraph 4(a), an officer must digitally sign, authorise and encrypt the information (for which purpose APRA's certificate authority will issue digital certificates, for use with the 'Direct to APRA' application, to officers who have authority from the DMF entity to transmit data to APRA); and
  - (b) if the DMF entity provides the information on paper under paragraph 4(b), the completed form must be signed by an officer of the DMF entity who is authorised by the DMF entity to complete and lodge the form.
12. If the DMF entity provides the information required by this reporting standard through an agent under paragraph 5, then:
  - (a) the agent will not be required to sign or authorise the information; but
  - (b) the DMF entity must:
    - (i) obtain from the agent a paper copy of the completed form as provided to APRA (whether it was submitted electronically or in paper form); and
    - (ii) cause the paper copy to be signed by an officer of the DMF entity authorised by the DMF entity to sign the paper copy; and
    - (iii) lodge the signed paper copy with APRA by mailing the completed form to APRA's head office at Level 26, 400 George Street, Sydney, New South Wales, by the relevant due date.
13. If information under this reporting standard is provided in paper form, it must be signed on the front page of the relevant completed form by either:
  - (a) the Principal Executive Officer of the DMF entity; or
  - (b) the Chief Financial Officer of the DMF entity (whatever his or her official title may be); or
  - (c) the trustee.

## Minor alterations to form and instructions

14. APRA may make minor variations to:
- (a) a form that is part of this reporting standard, and the instructions to such a form, to correct technical, programming or logical errors, inconsistencies or anomalies; or
  - (b) the instructions to a form, to clarify their application to the form
- without changing any substantive requirement in the form or instructions.
15. If APRA makes such a variation it must notify in writing each DMF entity that is required to report under this reporting standard.

## Interpretation

16. In this reporting standard:

**APRA** means the Australian Prudential Regulation Authority established under the *Australian Prudential Regulation Authority Act 1998*;

**DMF** has the meaning given by section 5 of the *Financial Sector (Collection of Data) Act 2001*;

**due date** means the relevant due date under paragraph 8 or, if applicable, paragraph 9;

**DMF entity** is a person or body that controls a DMF, and may include any of the following:

- (a) a body corporate;
- (b) a partnership;
- (c) an unincorporated body;
- (d) an individual;
- (e) for a trust that has only one trustee – the trustee;
- (f) for a trust that has more than one trustee – the trustees together;

**officer** in relation to a DMF entity means, where relevant:

- (a) a director or secretary of the entity; or
- (b) a person:
  - (i) who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the entity; or
  - (ii) who has the capacity to affect significantly the entity's financial standing;

**reporting period** means a reporting period mentioned in paragraph 6 or, if applicable, paragraph 7;

*year of income* means the financial year of the DMF.