Applications are sought from suitably qualified persons for appointment to the position of Chief Executive, Australian Financial Security Authority (AFSA) and the statutory position of Inspector-General in Bankruptcy.

AFSA

AFSA is the government agency responsible for the administration and regulation of the personal insolvency system in Australia. AFSA is also responsible for maintaining the Personal Property Securities Register (PPSR) established under the Personal Property Securities Act 2009. In carrying out these functions, AFSA supports various statutory office holders or bodies - including the Inspector-General in Bankruptcy, the Official Receivers, the Official Trustee in Bankruptcy and the Registrar of Personal Property Securities.

AFSA’s purpose is to provide improved and equitable financial outcomes for consumers, businesses and the community through the application of bankruptcy and personal property securities laws, regulation of personal insolvency practitioners, and trustee services.

AFSA operates the bankruptcy registry, where debtors petitions are lodged, debt agreement proposals are processed and public records on insolvency are maintained, and acts as a trustee in bankruptcy (through the Official Trustee). AFSA also provides information about bankruptcy and its alternatives to debtors in financial distress.

AFSA also operates the PPSR, a national register of security interests in personal property.

The Chief Executive and Inspector-General in Bankruptcy heads AFSA. The Chief Executive is supported by the Chief Operating Officer and six National Managers of AFSA’s business divisions/teams. Together they form AFSA’s National Management Board, which also has one external member.

Further information about AFSA can be obtained at www.afsa.gov.au

The Chief Executive

The Chief Executive is a statutory office holder appointed by the Agency Minister (the Attorney-General) pursuant to section 67 of the Public Service Act 1999.

As agency head, the Chief Executive has powers equivalent to those of the Secretary of a Department in the Australian Public Service. The agency head is accountable to the Government, the Parliament and the public in the same way as the Secretary of a Department.
The Chief Executive has management and accountability responsibilities under the *Public Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*, which include:

- directing, coordinating and controlling the operations of AFSA, including determinations of priorities, allocation of work and resources
- undertaking or personally supervising the more important matters which fall within the scope of AFSA’s operations and advising the Minister, as required, on these matters, and
- representing AFSA in relation to its functional responsibilities.

It is expected that the Chief Executive would also be appointed Inspector-General in Bankruptcy. The primary statutory functions of the Inspector-General in Bankruptcy are set out in sections 11 and 12 of the *Bankruptcy Act 1966*.

**Remuneration**

The remuneration package will be determined in accordance with the relevant Remuneration Tribunal Determinations, and will be commensurate with the position. The remuneration package can be expected to include generous employer contributions to a superannuation scheme, use of a fully-maintained plated motor vehicle for a nominal contribution, and other benefits.

**Selection Criteria**

The successful applicant for the position of Chief Executive, AFSA will:

- be a highly motivated person of high standing in the legal or accounting professions, academia, or government
- have a detailed knowledge and understanding of Australian personal insolvency legislation, or the ability to acquire such knowledge and understanding quickly, to effectively perform the statutory functions of Inspector-General in Bankruptcy
- have a knowledge and understanding of the personal insolvency and personal property securities policies of the Australian Government
- have a demonstrated ability to undertake or supervise the more important matters which fall within the scope of AFSA’s responsibilities and advise the Attorney-General, and senior management as required, on these matters
- provide input to, and liaise with, the Attorney-General’s Department in the development of policy proposals to ensure personal insolvency and personal property securities laws remain relevant and up to date, including consulting with stakeholders as appropriate
- demonstrate high level leadership and vision
- be capable of managing large and/or complex operations
- work with others to meet objectives
- display a high level of judgment, and
- demonstrate a high standard of professional and personal integrity and capacity to promote these in an organisation.
Prospective applicants should note that the last five criteria are core selection criteria for Agency Heads in the Australian Public Service, and additional information on these criteria may be obtained in the *Merit and Transparency: Merit-based selection of APS agency heads and APS statutory office holders* publication available on the Australian Public Service Commission’s website at [http://www.apsc.gov.au](http://www.apsc.gov.au).

The successful applicant will be required to undergo security assessments and must be an Australian Citizen.

**Inquiries**

Applicants should direct any inquiries about this position or their application to Mr Andrew Walter on (02) 6141 3615 or Andrew.Walter@ag.gov.au.

**Applications**

Applications showing full particulars of qualifications, experience and expertise, together with contact details and a completed private interests declaration (see below), must be sent, preferably by email (with no need for a separate hard copy submission), to arrive by **5pm AEDT Wednesday 15 February 2017**

Email: appointments@ag.gov.au

Mail: Mr Andrew Walter  
Assistant Secretary  
Attorney-General’s Department  
3-5 National Circuit  
BARTON ACT 2600
PRIVATE INTERESTS DECLARATION

POSITION & ORGANISATION

Chief Executive, Australian Financial Security Authority (AFSA) and Inspector-General in Bankruptcy

Please answer the following questions by circling the reply that applies to your personal circumstances. If you answer “yes” to any question, please provide details in an attachment to this form. Please note that answering “yes” to any question does not necessarily preclude you from being appointed. Your response will be treated as confidential and will only be used for purposes connected with this proposed appointment.

1. Do you have any disclosable criminal convictions, i.e. convictions as an adult that form part of your criminal history other than those protected by the Spent Convictions Scheme (see Part VIIC of the Crimes Act 1914)?
   - Yes/No

2. Are you, or have you been, the respondent or defendant in any civil or criminal court action (including as a company director or other office holder)?
   - Yes/No

3. (a) Have you ever been declared bankrupt, entered into a debt agreement under Part IX of the Bankruptcy Act 1996 (the Bankruptcy Act) or entered into a personal insolvency agreement under Part X of the Bankruptcy Act?
   - Yes/No

   (b) If you are in a partnership, have any of your partners ever been declared bankrupt, entered into a debt agreement under Part IX of the Bankruptcy Act or entered into a personal insolvency agreement under Part X of the Bankruptcy Act?
   - Yes/No or N/A

4. Has any business or commercial enterprise for which you, or if applicable your partner(s), have had responsibility ever gone into receivership or a similar scheme or arrangement?
   - Yes/No

5. During the last 10 years have you, or if applicable your partner(s), been the subject of a court order in connection with monies owing to another party?
   - Yes/No

6. Have you ever been summonsed or charged concerning non-payment of tax or outstanding tax debts, investigated for tax evasion or defaults, or negotiated with the Australian Taxation Office over outstanding tax debts?
   - Yes/No

7. Have you ever been the subject of a complaint to a professional body which has been substantiated, or is currently under investigation?
   - Yes/No

8. Have you ever been dismissed from employment because of a discipline or misconduct issue?
   - Yes/No

9. Do you or your immediate family have any financial interest in any company or business, or are you or your immediate family employed or engaged by any company or business, which might have dealings with, or an interest in the decisions of, the office to which you may be appointed?
   - Yes/No

10. Are you a lobbyist registered on the Australian Government’s Lobbyists Register or the register of a state or territory?
    - Yes/No

11. Is there any other information which could be relevant to your suitability for the proposed appointment?
    - Yes/No

ASSURANCE

I advise that to the best of my knowledge my private, business and financial interests, including taxation affairs, would not conflict with my public duties or otherwise cause embarrassment to myself or to the Government during my term of appointment.

I also undertake to advise the responsible minister should a situation arise in the future which might cause a conflict of interest with my responsibilities under this appointment.

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Name Signature Date

PROTECTED (when complete)