

Enforcement statistics

July 2022 to September 2022

Personal insolvency related (*Bankruptcy Act 1966*)



128 alleged offence referrals assessed



0 infringement notices issued



17 official cautions issued



9 briefs of evidence forwarded to CDPP



14 briefs accepted for prosecution by CDPP#

Includes a portion of the briefs prepared and referred to the CDPP in the previous financial year.

Offence referrals and investigations

Alleged offence referrals:

128 offence referrals were assessed during the period, of which 51 were accepted for investigation.

Investigations

We assess alleged offence referrals for investigation as either compliance or complex offence matters.

Compliance offences

During the period, 21 compliance investigations were completed.

Complex offences

During the period, 36 complex investigations were completed.

Infringement notices

During the period, 0 infringement notices were issued.

During the period, 0 infringement notices were withdrawn.

Prosecutions

36 persons were prosecuted for a total of 59 charges during the period. Of those charges, 42 were proven with conviction, 5 were proven without conviction, 9 were withdrawn and 3 were dismissed.

Charges per offence	Offence
13	Fail to file statement of affairs (Section 54(1))
2	Fail to disclose particulars of disposition of property within 2 year period immediately preceding date of bankruptcy (Section 265(1)(b))
2	Fail to disclose information about examinable affairs (Section 265(1)(ca))
2	Conceal, remove, deal with property during bankruptcy (Section 265(4)(a))
8	Disposes of, or creates a charge on any property during bankruptcy with intent to defraud creditors (Section 266(1))
7	Within 12 months before bankruptcy disposes of, or creates a charge on any property with intent to defraud creditors (Section 266(3))
6	Make a false declaration (Section 267(2))
14	Failure to comply with a Notice (Section 267B(1))
2	Promising to supply goods or render services without disclosing bankruptcy or being party to a debt agreement >\$3,000 (Section 269(1)(ad))
2	Leave Australia with intent to defeat creditors (Section 272(1)(c))
1	Attempt (Section 11.1 - Criminal Code Act 1995)

PPSR related (*Personal Property Securities Act 2009*)

There have been no referrals assessed for alleged contraventions of the *Personal Property Securities Act 2009* during the period.

Please note, these are preliminary results for the year and due to the timing of the completion of matters may be subject to change—particularly when considered in the context of annual results.