



Enforcement statistics 2022-23

Personal insolvency related (Bankruptcy Act 1966)



206 referrals accepted for investigation



3 infringement notices issued



489 alleged offence referrals assessed



48 briefs of evidence forwarded to CDPP



71 official cautions issued



53 briefs accepted for prosecution by CDPP*

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

Offence referrals and investigations

Alleged offence referrals

489 offence referrals were assessed in the year, of which 206 were accepted for investigation.

Investigations

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

Compliance offences

During the year, 107 compliance investigations were completed. Of these, 40 alleged offenders complied with their obligations after Enforcement intervention.

Complex offences

During the year, 106 complex investigations were completed.

Infringement notices

During the year, 1 infringement notice was issued to a registered trustee and 2 to creditors.

Prosecutions

91 persons were prosecuted for a total of 174 charges during the year. Of those charges, 40 were withdrawn, 104 were proven with conviction, 13 were proven without conviction, 5 dismissed and 12 not proven.

The dollar value of those charges laid was \$1,410,186.

Charges per offence	Offence
37	Fail to file statement of affairs (Section 54(1))
1	Fail to comply with a 139ZQ notice (Section 139ZT(1))
3	A person who conceals property with intent to defraud - Section 263(1)(d)
6	Fail to disclose particulars of disposition of property within 2 year period immediately preceding date of bankruptcy (Section 265(1)(b))
3	Fail to disclose information about examinable affairs (Section 265(1)(ca))
2	Omit material particular from a statement relating to any of the bankrupt's examinable affairs (Section 265(1)(f))
4	Conceal, remove, deal with property during bankruptcy (Section 265(4)(a))
2	Conceal, remove, deal with property during bankruptcy (Section 265(4)(a) read with 265(7))
1	Incur any debt or liability by fraud during bankruptcy (Section 265(5)(b))
1	Incur any debt or liability by fraud within 12 months of bankruptcy (Section 265(5)(b) read with 265(7))
2	Refuse or fail to comply with a requirement under section 77A or 130 (Section 265A(1))
35	Disposes of, or creates a charge on any property during bankruptcy with intent to defraud creditors (Section 266(1))
24	Within 12 months before bankruptcy disposes of, or creates a charge on any property with intent to defraud creditors (Section 266(3))
15	Make a false declaration (Section 267(2))
26	Failure to comply with a Notice (Section 267B(1))
1	Obtain credit alone or jointly without disclosing bankruptcy or being party to a debt agreement >\$3,000 - Section 269(1)(a)
1	Obtain goods or services alone or jointly without disclosing bankruptcy or being party to a debt agreement by promising to pay >\$3,000 (Section 269(1)(ac))
2	Promising to supply goods or render services without disclosing bankruptcy or being party to a debt agreement >\$3,000 (Section 269(1)(ad))
1	Gambling or hazardous speculations - Section 271(a)
5	Leave Australia without consent (Section 272(1)(c))
1	Attempt to commit an offence (Section 11.1 - Criminal Code Act 1995)
1	False or misleading documents (Section 137.2 Criminal Code Act 1995)

PPSR related (*Personal Property Securities Act 2009*)

There have been two 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.