

Law Division  
Treasury  
Langton Cres  
PARKES ACT 2600

*By email: PwCResponse@treasury.gov.au*  
*Copy:*

### **Submission – Response to PwC – information sharing**

Thank you for the opportunity to make a submission in response to the *Treasury Laws Amendment (Measures for Consultation) Bill 2023: PwC Response: Information Sharing (Bill)*.

The Professional Standards Councils administer the national system of professional standards regulation created by corresponding legislation in each State and Territory. The Commonwealth participates in the national system through its appointed representative to each of the State and Territory Councils, and through prescription of professional standards schemes under Commonwealth legislation.

The Councils' primary focus is on improving professional standards and protecting consumers, with a particular emphasis on the affordability and availability of professional indemnity insurance. The Councils approve professional standards schemes for these purposes. Three large accounting associations – Chartered Accountants Australia and New Zealand, CPA Australia and the Institute of Public Accountants – operate professional standards schemes approved by the Councils.

The Councils consider that information sharing between regulators and disciplinary bodies greatly enhances the ability to identify and manage risks to professional standards. The Professional Standards Authority has a memorandum of understanding in place with the Tax Practitioners Board (TPB) for this reason.

The Councils consider that the provisions of the Bill will significantly improve the exchange of information between relevant bodies. In particular, we note that the Bill will allow taxation officers and TPB officials to:

- share protected information with Treasury about misconduct arising from suspected breaches of confidence by intermediaries engaging with the Commonwealth, and
- share protected information with prescribed professional associations to enable associations to perform their disciplinary functions.

These provisions will remove certain existing statutory barriers to disclosure of information. The removal of these barriers will assist regulators and disciplinary bodies to more readily identify and deal with conduct which constitutes a risk to professional standards (such as unethical or unlawful conduct). It will thereby help to better protect consumers.

The Councils note that, prior to prescribing any professional disciplinary bodies under the proposed provisions, consideration will be given to whether the body has appropriate processes and safeguards in place to ensure that protected information is appropriately managed. In the case of accounting associations operating approved professional standards schemes, we note safeguards for the protection of confidential information should already be in place in respect of disciplinary processes.



The Councils will continue to work with the TPB and other regulators to promote the sharing of information regarding emerging risks and operational experiences. We would be pleased to provide any further assistance to you should it be beneficial.

If you require any further information, please contact me.

Yours sincerely

**Roxane Marcelle-Shaw**

Chief Executive

On behalf of the Professional Standards Councils

4 October 2023