

From the Desk of Director Marija Pajeska



31 August 2018

Financial Adviser Standards and Ethics Authority

By email: consultation@fasea.gov.au

Response to FASEA Consultation – Foreign Qualifications

The Association of Securities and Derivatives Advisers of Australia (ASDAA) appreciates the opportunity to provide these comments to FASEA in respect of FASEA Consultation Paper – Foreign Qualifications.

ASDAA's members are comprised of individuals who are either directors or employees of firms which hold Australian Financial Services Licences (AFSLs).

We note that more recently there have been some issues with accessing the data and assessments completed by NOORS/DET. So FASEA needs to ensure that the systems and services provided by NOORS/DET are accessible.

Further, we note that there is no Overseas Qualifications Unit in every state which could cause problems. Taking into consideration that the financial services sector has the largest presence in NSW and NOORS/DET does not have an Overseas Qualifications Unit in NSW, this will cause problems and potentially unnecessary delays.

FASEA needs to take a practical approach and in order to assist existing advisers, that hold Foreign Qualifications, that are RG146 accredited and have been operating in Australia for a number of years, FASEA should consider adding relevant degrees to the list of the FASEA approved existing degrees from some international countries. Failing that FASEA should consider releasing a Precedent Database for foreign qualifications sooner rather than later.

Our specific comments to each of FASEA's proposals in the Consultation Paper are detailed in Annexure A of this letter.

ASDAA appreciates the opportunity to provide this Submission to ASIC on these significant proposals. We would be happy to discuss any issues arising from our submissions on this issue, or to provide any further material that may assist. Should you require any further information, please contact Brad Smoling, Director of Communications, on (07) 5532 3930 or email brad@asdaa.com.au.

Yours Sincerely

Marija Pajeska
Compliance Director

Annexure A: Response to FASEA Questions

S3 Foreign Qualification Roles & Responsibilities

FASEA requires individuals to provide certified copies of their foreign qualification and if applicable translated to English. In addition, FASEA requires individuals to apply for (or have already had) a NOOSR/DET assessment with the NOOSR/DET fees payable by the individual. See section 3 for more details.

ASIC Question		Response
S3.1	Do you agree that the NOOSR/DET assessment is an appropriate approach in assessing the education level of an overseas qualification? If not, why not?	We agree that the NOOSR/DET assessment is the appropriate approach, however we note that NOOSR/DET does not have an Overseas Qualification Unit in NSW which will potentially be a problem. FASEA should consider taking a more facilitative approach for existing advisers whereby FASEA facilitates the NOOSR/DET assessment process as many of the advisers will have the same or similar qualifications.

S4 Foreign Qualification Requirements

FASEA Proposes that New Entrants who have an approved NOOSR/DET foreign qualification complete a FASEA approved post graduate, otherwise undertake a FASEA approved undergraduate Degree. See section 4 for more details.

FASEA Proposes that Existing Advisers who have a relevant foreign qualification will be required to undertake the requirements as per the relevant degree pathway otherwise, the existing adviser will be required to undertake the requirements as per the unrelated degree pathway.

ASIC Question		Response
S4.1	Do you agree with the approach for approving New Entrant Foreign Qualifications? If not, why not?	We do not understand why under the New Entrant Foreign Qualification there is no assessment of whether the degree is a related vs unrelated degree. A person could be a New Entrant in Australia with a New Entrant Foreign Qualification and a number of years experience in the foreign jurisdiction. There needs to be a pathway to accommodate these types of advisers.
S4.2	Is there an alternative approach that should be considered for approving New Entrant foreign qualifications?	

ASIC Question		Response
S4.3	Do you agree with the approach for approving Existing Adviser Foreign Qualifications? If not, why not?	We agree with the approach for approving Existing Adviser Foreign Qualifications.
S4.4	Is there an alternative approach that should be considered for approving Existing Adviser foreign qualifications?	To assist Existing Advisers with foreign qualifications, FASEA should consider adding the approved foreign qualifications on the FASEA approved existing degrees. FASEA should consider conducting a survey to establish which countries the majority of existing advisers have acquired their degrees from and add relevant degrees to the list of the FASEA approved existing degrees from those countries. This will assist industry and Existing Advisers to ensure continuity of service delivery to clients which is important as some clients require the services of an adviser that have specialist knowledge across multiple jurisdictions.

S5 Precedent Database

FASEA approved foreign qualifications, will be added to FASEA's Foreign Qualification Precedent Database that will be available on FASEA's website. The Precedent Database will be updated periodically and consist relevant information. See section 5 for more details.

ASIC Question		Response
S5.1	Do you agree that a Precedent Database and its availability on the FASEA website will be useful? If not, why not?	We agree a Precedent Database and its availability on the FASEA website will be useful, however adding relevant degrees to the list of the FASEA approved existing degrees from some international countries would be more beneficial.
S5.2	Do you agree with the information that will be updated periodically on the website? If not, why not?	We agree with the information that will be updated periodically on the website.