ASIC registered agent number
lodging party or agent name
office, level, building name or PO Box no.
street number and name
suburb / city state/territory postcode
telephone ( )
facsimile ( )
DX number suburb / city

ASS. REQ-A
CASH. REQ-P
PROC.

Australian Securities & Investments Commission

Australian financial services licensee

profit and loss statement and balance sheet

form **FS70**

Corporations Act 2001
912AA, 912AB, 912AC, 989A, 989B(2), 989C, 989CA, 989D
Corporations Regulations
7.8.12A, 7.8.13, 7.8.13A, 7.8.14, 7.8.14A, 7.8.14B

AFS licensee details

Provide the following details
AFS licensee name
AFS licence number
Auditor name (if applicable)
ASIC registered auditor number (if applicable)

1. Which financial year are the accounts for (dd/mm/yyyy) / / to / /

2. If the licensee is a company, are you lodging this form as a disclosing entity? ☐ Yes ☐ No

3. All financial services licensees are required to lodge annual accounts and an auditor's statement and / or an annual compliance certificate. Limited licensees that only provided one or more limited financial services (as defined in Corporations Regulation 7.8.14B), and did not deal with client money (to which Division 2 of Part 7.8 of the Corporations Act applies) for the entire year to which these annual accounts relate, are required to lodge annual accounts and an annual compliance certificate. Check which of the following describes you during the year that these accounts are for and the documents you are required to attach to this form.

I am a…	I must attach…
☐ financial services licensee that is not a limited licensee	accounts (FS70) an auditor's statement (FS71)
☐ limited licensee that dealt with client money to which Division 2 of Part 7.8 of the Corporations Act applies for all or part of the year that these accounts are for (including if you were also a licensee that was not a limited licensee for part of that same year).	accounts (FS70) an auditor's statement (FS71)
☐ limited licensee that did not deal with client money to which Division 2 of Part 7.8 of the Corporations Act applies	accounts (FS70) an annual compliance certificate (FS76)
☐ financial services licensee that is not a limited licensee for part of the year that these accounts are for; and a limited licensee that did not deal with client money to which Division 2 of Part 7.8 of the Corporations Act applies for part of the year that these accounts are for	accounts (FS70) an auditor's statement (FS71) an annual compliance certificate (FS76)

PART 1

Summary results of the AFS licensee

4. Financial year (dd/mm/yyyy) / / to / /

for financial year

5. (a) Total Revenue including tax benefit

(b) Total Expenses including tax expense

(c) Net Profit After Tax (a)-(b)

as at end of the financial year

6. (a) Total Equity

(b) Total Liabilities

Responsible entities / IDPS operators

If the AFS licensee is the Responsible Entity of a Managed Investment Scheme or an IDPS operator to whom section 912AA of the Act as applying under ASIC Class Order [CO 13/760] *Financial requirements for responsible entities and operators of investor directed portfolio services* applied at the end of the financial year, please complete the following four items:

7. (a) Net tangible assets as at the end of the financial year

   (b) Cash and/or cash equivalents as at the end of the financial year

   (c) Average value of scheme property and IDPS property

   (d) Average responsibility entity and IDPS revenue

All the items in this paragraph have the meaning under section 912AA of the Act as applying under ASIC Class Order [CO 13/760] *Financial requirements for responsible entities and operators of investor directed portfolio services.*

Custodial and depository service providers

If the AFS licensee is authorised to provide a custodial or depository service and section 912AC of the Act as applying under ASIC Class Order [CO13/761] *Financial requirements for custodial or depository service providers* applies to the licensee, please complete the following three items:

8. (a) Net tangible assets as at the end of the financial year

   (b) Cash and/or cash equivalents as at the end of the financial year

   (c) Average revenue

In addition, if the AFS licensee is relying on being an incidental provider to meet the requirements of section 912AC, please complete the following two items:

9. (a) Custodial or depository service revenue

   (b) Financial services business revenue

All the items in the above two paragraphs have the meaning under section 912AC applying under ASIC Class Order [CO 13/761] *Financial requirements for custodial or depository service providers.*

Retail OTC derivative issuers

If the AFS licensee issues derivatives to retail clients and section 912AB of the Act, as applying under ASIC Class Order [CO 12/752] *Financial requirements for retail OTC derivative issuers*, applies to the licensee, please complete the following five items:

10. (a) The amount of actual or contingent liabilities owed by the licensee in connection with issuing derivatives to persons as a retail client at the end of the financial year

    (b) Net tangible assets (NTA) as at the end of the financial year

    (c) The NTA the licensee was required to hold under subsection 912AB(4) applying under ASIC Class Order [CO 12/752] as at the end of the financial year

    (d) Cash and/or cash equivalents as at the end of the financial year

    (e) The amount of average revenue on which the licensee has based its calculation of required NTA at 10(c) above

All the items in this paragraph have the meaning under section 912AB applying under ASIC Class Order [CO 12/752] *Financial requirements for retail OTC derivative issuers.*

Certification

11. Except as stated in paragraph 11A the licensee certifies that the profit and loss statement (Statement of Financial Performance) and balance sheet (Statement of Financial Position) and notes to the Statement of Financial Performance and Statement of Financial Position of the licensee ("financial statements") set out at paragraph 13 and summarised above:

    (a) give a true and fair view of the matters stated in the financial statements;

    (b) if the licensee is a reporting entity, the financial statements are included in a general purpose financial report that complies with all Australian Accounting Standards and Urgent Issues Group abstracts ("the Accounting Pronouncements") and if the licensee is not a reporting entity, the financial statements are prepared in accordance with all of the recognition and measurement requirements of the Accounting Pronouncements, and in accordance with the disclosure requirements of those of the Accounting Pronouncements that apply to non-reporting entities subject to any treatment in the financial statements required in order to give a true and fair view that is not in compliance with Australian Accounting Standards or Urgent Issues Group abstracts, the effect of which is quantified in notes to the financial statements;

    (c) if the licensee is a body corporate, the board or other governing body of the licensee has resolved to the effect of (a) and (b).

11A. Where the licensee is a natural person, if noted in the financial statements, the licensee may exclude from the financial statements and notes thereto the revenue and expenses that do not relate to any business of the licensee or all the revenue and expenses that do not relate to a financial services business of the licensee.

12. The licensee certifies that during the financial year it has complied with all the financial requirements of the Corporations Act 2001 and the conditions on the licence, as modified, and the requirements relating to trigger points, except as has been disclosed in writing to ASIC.

Financial Statements

13. {Attach the financial statements which, if the licensee prepares consolidated financial statements for the licensee and its controlled entities, can be presented as separate items in the same document as the consolidated financial statements.}

Signature

This form must be signed (please refer to Guide for details on eligible signatories)

print name _____ capacity _____

print entity name _____

sign here _____ date / /

PART 2: To be completed by licensees that must comply with the audit requirement.

Refer Regulatory Guide 166: Licensing: Financial Requirements

Certification

The audit report in the form of Form FS 71 lodged with this form is a true copy of the auditor's report on the financial statements under sub section 989B(3).

Qualification

Is there an audit qualification of financial statements?	☐ Yes	☐ No
Is there an emphasis of matter on financial statements?	☐ Yes	☐ No
Are there any exceptions in FS71?	☐ Yes	☐ No
If yes, identify the Part or Parts of FS71 to which the exceptions relate		
Part 2	☐ Yes	☐ No
Part 5	☐ Yes	☐ No
Part 6	☐ Yes	☐ No
Part 7	☐ Yes	☐ No
Part 8	☐ Yes	☐ No

Signature

This form must be signed (please refer to Guide for details on eligible signatories)

print name _____ capacity _____

print entity name _____

sign here _____ date / /

GUIDE

This guide does not form part of the prescribed form and is included by ASIC to assist you in completing and lodging form FS70.

Entities required to prepare consolidated financial statements

If the licensee is required to prepare consolidated financial statements under Chapter 2M of the *Corporations Act 2001*, the information in Part 1 under the heading 'Summary results of the AFS licensee' should nevertheless be provided using the licensee's individual entity financial statements rather than consolidated financial statements.

Signature

Part 1 of the Form must be signed before the audit report FS71 (if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*) is completed. After the FS71 is completed Part 2 must be signed. Part 1 and Part 2 of this form must be signed by a person who is authorised as per the table below:

Entity	Signatory
Partnership comprised of individuals	Any one of the individual partners
Partnership comprised of both individuals and companies	Any one of the individual partners or a director or secretary of one of the companies
Multiple trustees	Any one of the trustees, or where the trustee is a body, a director or secretary of the body
Company	Director or secretary
Foreign company	Director or secretary or local agent
Individual	The individual

Lodging period

If the licensee is not a body corporate, must be lodged (with a Form FS71 - if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*) within 2 months after the end of the financial year, ie by 31 August.

If the licensee is a body corporate that is a disclosing entity, must be lodged (with a Form FS71 - if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*) within 3 months after the end of the financial year.

If the licensee is a body corporate that is not a disclosing entity, must be lodged (with a Form FS71 - if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*) within 4 months after the end of the financial year.

Lodging requirements

The Form FS70 can be lodged either electronically or by paper as detailed below:

Electronically through the ASIC website

AFS licensees should:

- enter the information from their paper FS70 into the AFS licensees portal on our website at www.asic.gov.au
- attach electronic copies of their profit and loss statement, balance sheet and audit report in RTF, TIF or PDF format. Limited AFS licensees should also attach an electronic copy of their annual compliance certificate - Form FS76. File attachments must not contain any active or encrypted content.
- retain the signed original FS70 (and FS71 - if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*) and profit and loss statement and balance sheet for their records, as required under the ASIC Electronic Lodgement Protocol.

Electronically through Standard Business Reporting

AFS licensees or their auditor should:

- enter the information from their paper FS70 into the SBR enabled accounting software. Refer to www.sbr.gov.au for more details
- attach electronic copies of their profit and loss statement, balance sheet and audit report in PDF format. Limited AFS licensees should also attach an electronic copy of their annual compliance certificate - Form FS76. File attachments must not contain any active or encrypted content. Copies of the financial reports can also be sent via XBRL.
- retain the signed original FS70 (and FS71 - if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*) and profit and loss statement and balance sheet for their records, as required under the ASIC Electronic Lodgement Protocol.

Paper

Whether lodging in person or by mail, submit the:

- signed and original FS70 (and FS71 - if applicable, refer to Regulatory Guide 166: *Licensing: Financial Requirements*)
- profit and loss statement and balance sheet
- Limited AFS licensees should also attach a copy of their annual compliance certificate - Form FS76.
- required fee.

AFS licensees should retain signed copies for their records.

Postal address:

Australian Securities & Investments Commission

PO Box 4000

Gippsland Mail Centre Victoria 3841

Lodging fee

A lodgement fee applies to this form.
For information on fees refer to www.asic.gov.au/forms.

Late fees will apply if you notify a change outside of the lodgement period.
For information on fees refer to www.asic.gov.au/forms.

Additional information

When completing FS70 for the first time, you should refer to section 323D of the Corporations Act 2001 concerning the meaning of Financial Year. Disclosing Entity has the meaning given by section 111AC of the *Corporations Act 2001*.

Privacy

The information provided to ASIC in this form may include personal information. Please refer to our privacy policy (www.asic.gov.au/privacy) for information about how we handle your personal information, your rights to seek access to and correct personal information, and to complain about breaches of your privacy.

Procedure

You must complete all fields as indicated on the FS70. If any required fields are incomplete or contain invalid data types, ASIC staff will be unable to process the form. If appropriate, ASIC will contact you by telephone or, if the incomplete or invalid data is significant, the FS70 will be returned to you.

Penalty

It is an offence not to comply with subsection 1311(1).

Annexures

To make any annexure conform to the regulations, you must

1 use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2 show the licensee's AFS Licence No.and name
3 number the pages consecutively
4 print or type in BLOCK letters in dark blue or black ink so that the document is clearly legible when photocopied
5 identify the annexure with a mark such as A, B, C, etc
6 endorse the annexure with the words: *This is annexure (mark) of (number) pages referred to in form (form number and title)*
7 sign and date the annexure, the annexure must be signed by the same person(s) who signed the form.