



ASIC

Australian Securities & Investments Commission

Our Reference: CCU-13\0685

6 August 2013

Level 24, 120 Collins Street
Melbourne VIC 3000
GPO Box 9827 Melbourne VIC 3001

Senator John Williams
Senator for New South Wales
144 Byron Street
INVERELL NSW 2360

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Dear Senator Williams

Thank you for the email dated 18 July 2013, originally sent from Mr Gary Lamrock of your office to Mr Robert Rush, ASIC's Government Relations Manager, concerning an email you received from Mr Malcolm Rock. We apologise for the delay in responding to you.

We note that Mr Malcom Rock has raised concerns about obtaining access to a copy of a trust deed from 1913 that he believes is relevant to his interest in a superannuation fund.

Thank you for raising this matter with ASIC. Unfortunately the information contained in Mr Rock's email is not sufficient for us to assess his concerns and determine whether they may suggest a breach of a law we administer. We will contact Mr Rock directly to gather further information in order to assess his concerns.

We note that ASIC may be unable to take further action in relation to this matter if Mr Rock is not considered a 'concerned person' under the *Corporations Act 2001* for the purposes of the superannuation fund, and if the trust deed is not relevant to determining Mr Rock's actual interest in the superannuation fund.

We will discuss these matters with Mr Rock, and also ensure he is aware of his rights to pursue disputes about his superannuation entitlements in the Superannuation Complaints Tribunal.

Should you wish to discuss this matter further, please call me on 03 9280 3502.

Yours sincerely

Warren Day
Senior Executive Leader
Stakeholder Services