



AFCA Scheme Amendment (2025 Measures No.1) Authorisation 2025

I, Stephen Jones, Assistant Treasurer and Minister for Financial Services, being satisfied the mandatory requirements under section 1051 of the *Corporations Act 2001* have been met, make the following authorisation.

Dated 6 March 2025

Stephen Jones
Assistant Treasurer
Minister for Financial Services

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1 Name

This instrument is the *AFCA Scheme Amendment (2025 Measures No.1) Authorisation 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	
2. Schedule 1	The day after the end of the period of 12 months beginning on the day this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

AFCA Scheme Authorisation 2018

1 Section 4

After the heading, insert:

Note: Expressions have the same meaning in this instrument as in the *Corporations Act 2001* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

2 Section 4

Insert:

credit facility has the meaning given by the *Corporations Regulations 2001* for the purposes of subparagraph 765A(1)(h)(i) of the Act.

3 After section 9A

Insert:

9B Condition on authorisation—complaints about banks relating to scams

It is a condition relating to the authorisation of the AFCA scheme that the AFCA scheme must permit a complaint to be made, in accordance with any requirements to be set out in the AFCA scheme rules, in relation to a bank carrying on a financial services business or engaging in credit activities, if:

- (a) the complaint relates to either:
 - (i) an account opened, or credit facility made available, by the bank in the name of the complainant without the complainant's consent, authorisation or authority; or
 - (ii) a receipt, internal movement, or external transfer, of funds by the bank, where the funds relate to the complainant; and
- (b) the bank is a member of the AFCA scheme at the time the complaint is made; and
- (c) the complaint relates to an attempt by someone to deceive the bank or the complainant (whether or not successful).