

20 November 2015



Code Committee Chair  
C/- David Ireland, Kensington Swan  
PO Box 10246  
Wellington

By email: [consultation@financialadvisercode.govt.nz](mailto:consultation@financialadvisercode.govt.nz)

Dear David

**Submission on the Consultation Paper: Code Committee review of the Code of Professional Conduct for Authorised Financial Advisers**

Thank you for the opportunity to provide feedback to the Code Committee (**Committee**) on the Code Committee review of the Code of Professional Conduct for Authorised Financial Advisers (**Consultation Paper**).

ANZ welcomes the Committee's review of the Code and supports proposed amendments to the Code to align with reforms made by the Financial Markets Conduct Act. ANZ also supports the proposed changes to the minimum standards of competence, knowledge and skills required to provide financial adviser services.

*Accessibility of advice and suitability relief*

ANZ agrees with the comment that a recurring theme of the FAA Review is that the FAA has had a negative impact upon consumer access to financial advice. It is ANZ's experience that customers sometimes experience poor financial advice outcomes as a result of institutions' practices to ensure that they comply with FAA requirements. ANZ acknowledges the Committee's inclusion of Code Standard 8(b) as a mechanism to provide relief. ANZ notes that it does not currently rely on this Standard due to:

- the drafting of the FAA and its requirements and the desire to ensure ANZ complies with the legislation
- complexities in ANZ's operating model to ensure consistent and compliant delivery of financial advice.

ANZ considers that, in light of the requirements of the FAA, there are no additional changes that the Committee could make at this time to render the relief provided by Code Standard 8(b) more effective and that the FAA itself needs amendment to resolve these issues.

ANZ considers that the FAA review provides a significant opportunity for this legislation to be reviewed and amended in order to achieve better financial advice outcomes for customers. ANZ commented extensively on potential solutions in its response to MBIE's Issues Paper which is available here: <http://www.mbie.govt.nz/info-services/business/business-law/financial-advisers/review-of-financial-advisers-act-2008/submissions/ANZ.pdf>. To this extent, ANZ also supports the Committee's view that no further changes to Code Standard 8 are warranted at this time, in light of the FAA review.

**About ANZ**

ANZ is the largest financial institution in New Zealand. The ANZ group comprises brands such as ANZ, UDC Finance, ANZ Investments New Zealand, ANZ New Zealand Securities and Bonus Bonds.

ANZ offers a full range of financial products and services including a significant range of financial advisory services, and is an employer of Authorised Financial Advisers.

**Contact for submission**

ANZ welcomes the opportunity to discuss any of our submissions directly with Committee members. Please contact Hannah Johnston, Regulatory Affairs Manager on [hannah.johnston@anz.com](mailto:hannah.johnston@anz.com) or (04) 436 4470.

Once again, we thank the Committee for the opportunity to have input into the Consultation Paper.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'C Mulholland', is written over the typed name.

Craig Mulholland  
General Counsel