

## Elsa Markula

---

**From:** Christiane Gillespie-Jones [REDACTED]  
**Sent:** Monday, 16 April 2018 5:43 PM  
**To:** Elsa Markula; Nick Pilavidis; [REDACTED]  
**Subject:** RE: CR Code Variation - Industry Consultation

Hi Elsa,

I have consulted with our largest members on the proposed variations and can provide the following feedback:

At this stage, we have not identified any significant impacts for our industry. However, we are keen to remain engaged and to be kept abreast on any developments and thank you for your efforts so far.

With regards to the specific proposed variations:

- “Maximum amount of credit available” definition - proposed consolidation of categories - currently not relevant as we do not stipulate a maximum amount of credit
- “electronic communication” definition for notices – in reality in our industry (compared to banking) once the customer is disconnected we can no longer send electronic messages either by email or possible text so not relevant. However, our preference is not to be too prescriptive and allow existing laws like the Electronic Transactions Act to operate. Suggested wording change as follows:
  - (d) the CP must issue the Section 6Q notice and Section 21D(3)(d) notice by sending them to the individual’s last known address at the time of despatch.

Subject to the provisions of the National Consumer Credit Protection Act 2009, the form of notice may be in a media nominated by the individual for the receipt of information about consumer credit payments, including paper form sent by regular post, email or online. ~~If, under the law applying to the consumer credit, the individual has nominated an electronic address for that consumer credit, then the CP may treat that electronic address as the individual’s last known address subject to complying with those other laws;~~

Please contact me if you have any questions.  
Kind regards  
Christiane

**Christiane Gillespie-Jones**

**Director Program Management** | Communications Alliance Ltd | [REDACTED]

[www.commsalliance.com.au](http://www.commsalliance.com.au)



**NOTICE:** This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

---

**From:** Elsa Markula [REDACTED]  
**Sent:** Friday, 13 April 2018 2:50 PM  
**To:** Christiane Gillespie-Jones [REDACTED]; Nick Pilavidis [REDACTED];

**Subject:** RE: CR Code Variation - Industry Consultation

Dear All,

Based on the feedback provided at our consultation session on Tuesday (as well as feedback from a range of other stakeholders), I've now redrafted paragraph 9.3(d) of the CR Code (use of electronic address for notices). I'd welcome any further comment or feedback you had in respect to this further redrafted provision (as well as obviously providing any additional feedback on the other Code variations).

Kind regards,  
Elsa



**ELSA MARKULA**

Legal & Regulatory Affairs Manager

[Redacted]  
[Redacted] [www.arca.asn.au](http://www.arca.asn.au)

At ARCA we value Energy, Innovation, Respect and Integrity in everything we do.

**Please note: I currently work Tuesdays and Wednesdays**

---

**From:** Elsa Markula

**Sent:** Tuesday, 10 April 2018 9:22 PM

**To:** 'Christiane Gillespie-Jones' [Redacted]; 'Nick Pilavidis' [Redacted]

**Subject:** CR Code Variation - Industry Consultation

Dear All,

Thank you again for your participation in this morning's consultation session.

I've **attached** a short note which sets out my record of feedback provided for the session.

I'd appreciate if you could confirm whether this note accurately records the feedback provided (and apologies in advance if this is not the case, my handwritten notes were a little unclear in places). Further, I'd appreciate if you had any issues with this note (once finalised) being shared with the OAIC, and within ARCA (to the Member workgroup for the CR Code, as well as to the Board).

Otherwise, any additional feedback is most welcome – noting the consultation is scheduled to end next Tuesday 17 April 2018.

Kind regards,  
Elsa



**ELSA MARKULA**

Legal & Regulatory Affairs Manager

[Redacted]  
[Redacted] [www.arca.asn.au](http://www.arca.asn.au)

At ARCA we value Energy, Innovation, Respect and Integrity in everything we do.

**Please note: I currently work Tuesdays and Wednesdays**