



Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

PRACTICE GUIDELINE 5

ROUND 7 HEARINGS

Published 5 November 2018

1. This Practice Guideline concerns the procedure of the Royal Commission (“the Commission”) regarding Round 7 of the public hearings of the Commission. Round 7 will commence on 19 November 2018 and conclude on 30 November 2018.
2. The purpose of Round 7 is to provide the Commissioner with an opportunity to explore with senior executives from certain financial services entities, and the regulators of those entities, some of the policy issues identified in the Interim Report,¹ and following Rounds 5 and 6 of the public hearings.
3. The public has now had an opportunity to provide the Commission with submissions in relation to those policy issues. The Commission is considering those submissions, and they will inform the matters that the Commissioner seeks to explore during Round 7. There will be no process for further submissions to be lodged following the conclusion of Round 7.
4. Because of the different nature of Round 7, there will be no process for applications for leave to appear for this round of hearings. A person who is summoned to give evidence before the Commission may be represented by a legal representative at the hearing without the need for that representative to obtain separate authorisation pursuant to s 6FA of the *Royal Commissions Act 1902* (Cth).
5. The procedure for examination of witnesses is as follows, and is subject to change:
 - a. Counsel Assisting the Commission will lead and ask questions of all witnesses;
 - b. the legal representative for the witness may then ask questions of the witness. It is expected that questions will be limited to matters arising out of the questions

¹ The Interim Report of the Commission is accessible on its website: <https://financialservices.royalcommission.gov.au/Pages/interim-report.aspx>



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asked by Counsel Assisting, unless leave to ask questions beyond those matters is given by the Commissioner;

- c. Counsel Assisting the Commission may then re-examine the witness;
 - d. cross-examination of witnesses by other persons or entities will not be permitted.
6. The procedures set out in this Practice Guideline will apply to the extent of any inconsistency with any other Practice Guideline published by the Commission.

Kenneth Hayne

Commissioner

5 November 2018