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**NOTICE OF CONFIRMATION OF DISQUALIFICATION – Mark Whibley - 15 November 2024**

*Superannuation Industry (Supervision) Act 1993*

To:

Mr Mark Whibley

SUBIACO WA 6008

I, Andrew Orme, a delegate of the Commissioner of Taxation, give you notice as required by subsection 344(6) of the *Superannuation Industry (Supervision) Act 1993* (SISA), that I have confirmed your disqualification under subsection 344(4) of the SISA.

I have confirmed your disqualification as I am satisfied that the corporate trustee of one or more superannuation entities has contravened the SISA on one or more occasions, and at the time of the contraventions you were a responsible officer of the corporate trustee and the nature and seriousness of the contraventions provides grounds for disqualifying you.

I have confirmed your disqualification as I am satisfied that you are not a fit and proper person to be a corporate trustee or a responsible officer of a body corporate that is a corporate trustee, a superannuation entity for the purposes of the SISA.

The confirmation of disqualification takes effect on the day on which it is made.

Dated: 15 November 2024

**Andrew Orme**

Deputy Commissioner of Taxation

Per Pauline Cotter

**Note 1:**

Under subsection 126(7) of the SISA, details of this disqualification notice will be published as a *Notifiable Instrument* in the Federal Register of Legislation.

**Note 2:**

Under section 126k of the SISA, it is an offence for a disqualified person, who knows that he or she is a disqualified person, to be, or act as a:

* trustee, investment manager or custodian of a superannuation entity
* responsible officer or a body corporate that is a trustee, investment manager or custodian, of a superannuation entity

The maximum penalty for committing this offence is two years jail.

**Note 3:**

Under subsection 44(8) of the SISA, if you are affected by this decision and are not satisfied with it, you can apply to the Administrative Appeals Tribunal to review the decision within 28 days of the Commissioner giving notification of this decision.