

NOTICE OF FILING

Details of Filing

Document Lodged:	Reply - Form 34 - Rule 16.33
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File Number:	VID1368/2024
File Title:	AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION v HSBC BANK AUSTRALIA LIMITED ACN 006 434 162
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 34
Rule 16.33

Reply to Defence

No. VID 1368 of 2024

Federal Court of Australia
District Registry: Victoria
Division: General

Australian Securities and Investments Commission

Plaintiff

HSBC Bank Australia Limited (ACN 006 434 162)

Defendant

The plaintiff joins issue on the Defence filed 13 June 2025, save to the extent that it contains admissions and in reply the plaintiff replies as follows:

1 In reply to paragraph 8 of the Defence:

- (a) in respect of Everyday Savings accounts (rebranded from a Serious Saver Account), HSBC provided its Customers the functionality to make and receive payments including to third parties via Online Banking and Mobile Banking by transactions made using a linked HSBC transaction account;
- (b) in respect of Term Deposits, HSBC provided its Customers the functionality to access their account via Online Banking and Mobile Banking, although 31 days' notice was required for withdrawal of funds prior to maturity; and
- (c) in respect of Fixed Home Loan, HSBC provided its Customers the functionality to make and receive payments including to third parties via Online Banking and

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

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The Plaintiff, Australian Securities and Investments Commission

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Mobile Banking by transactions made using a linked HSBC Home Loan
Transaction (Non Offset) Account.

- 2 In reply to paragraph 27(b)(ii) of the Defence, to the extent that HSBC has not since 1 January 2023 implemented digital fraud behavioural biometrics (such as BioCatch) as a customer authentication and access control for Mobile Banking and Internet Banking, HSBC has failed to have in place adequate customer authentication and access controls.

Date: 12 August 2025



Signed by Fred Prickett

Lawyer for the plaintiff

This pleading was prepared by Fleur Shand of counsel and Paul Liondas KC.

Certificate of lawyer

I Fred Prickett certify to the Court that, in relation to the reply to defence filed on behalf of the plaintiff, the factual and legal material available to me at present provides a proper basis for each allegation in the pleading.

Date: 12 August 2025



Signed by Fred Prickett

Lawyer for the plaintiff