

# Australian Securities and Investments Commission – Table of regulatory documents

## Documents released during February 2014

### New Regulatory Guides

Title	Release Date	Details	MR/AD and related documents
No new regulatory guides issued in February.			

### Amended or reissued Regulatory Guides

Title	Release Date	Details	MR/AD and related documents
RG 214 Guidance on ASIC market integrity rules for ASX and ASX 24 markets	6/2/2014	<p>This guide is for participants of the Australian Securities Exchange and ASX 24 (formerly the Sydney Futures Exchange) markets.</p> <p>It gives guidance on how market participants can comply with their obligations under ASIC market integrity rules for these markets.</p> <p>The only changes made are to RG 214.66, RG 214.141 and Table 2, which have been amended to clarify that AFS licensees should email their breach reports to ASIC.</p>	No MR
RG 134 Managed investments: Constitutions	12/2/2014 (reissued 18/2/2014 to correct minor paragraph numbering problem)	<p>This guide is for operators of managed investment schemes (schemes) seeking to register the scheme(s) and their advisers. It sets out our guidance on:</p> <ul style="list-style-type: none"> <li>• the requirements for scheme constitutions in s601GA and 601GB of the <i>Corporations Act 2001</i> (Corporations Act); and</li> <li>• how we apply these requirements in deciding whether to register a scheme.</li> </ul> <p><b>Update incorporates an appendix that sets out the requirements that applied to constitutions under the version of RG 134 as at September 2000.</b></p> <p><b>For schemes registered before 1 October 2013, we will not deregister the scheme or take any action against a responsible entity or its officers on the basis that a constitution does not comply with s601GA and 601GB of the Corporations Act if the constitution meets the requirements in this appendix: see RG 134.12–RG 134.17.</b></p> <p><b>This appendix is not intended to state any new policy. It merely reflects the requirements that applied under that version of RG 134.</b></p> <p><b>Update also incorporates other minor technical changes.</b></p>	No MR

Title	Release Date	Details	MR/AD and related documents
RG 78 Breach reporting by AFS licensees	26/2/2014	<p>This guide is for Australian financial services (AFS) licensees and responsible entities. It sets out your obligations to report to ASIC certain breaches of the law, and how we apply our administrative enforcement powers.</p> <p><b>The only changes made are updates to the breach notification details (RG 78.25–RG 78.26) and penalty amounts (RG 78.32), deletion of former RG 78.38, and revisions to RG 78.54 that reflect the release of Information Sheet 152 <i>Public comment</i> (INFO 152).</b></p>	No MR

## Class Orders

Title	Dates	Details	MR/AD and related documents
SCO 14/23 Amendment of Class Order [CO 12/749]	<p><i>Issued 31/1/2014</i>  <i>Registered 10/2/2014</i>  <i>Effective 10/2/2014</i>  <i>(date of registration)</i>  Automatic repeal under Part 5A LIA</p>	Class Order [CO 14/23] amends Class Order [CO 12/749]	MR 14-026
CO 14/41 Extension of transitional credit hardship provisions	<p><i>Issued 6/2/2014</i>  <i>Registered 10/2/2014</i>  <i>Effective 2/3/2014</i>  <i>(later of 2/3/2014 or registration)</i></p>	Class Order [CO 14/41] provides exemption from the requirement to give notice of agreement to change credit contract/consumer lease for credit licensees in respect of simple arrangements.	No MR
SCO 14/25 Revocation of Class Order [CO 00/44]	<p><i>Issued 25/2/2014</i>  <i>Registered 28/2/2014</i>  <i>Effective 28/2/2014</i>  <i>(date of registration)</i>  Automatic repeal under Part 5A LIA</p>	Class Order [CO 14/25] revokes Class Order [CO 00/44] as the comfort relief provided by that class order is no longer necessary. ASIC considers that electronic disclosure documents and electronic application forms can be distributed in accordance with the requirements of Chapter 6D without the relief provided by Class Order [CO 00/44].	MR 14-038 (scheduled for 3/3) RG 107 CO 14/26 SCO 14/128 REP 385

<b>Title</b>	<b>Dates</b>	<b>Details</b>	<b>MR/AD and related documents</b>
CO 14/26 Personalised or Australian financial services licensee created application forms	<i>Issued 25/2/2014 Registered 28/2/2014 Effective 28/2/2014 (date of registration)</i>	Class Order [CO 14/26] gives relief to offerors so that they may issue or transfer securities in response to an application form that has been: a) personalised by a financial services licensee for an applicant. This relief overcomes any concerns about the personalised application form not being one that is distributed by the offeror or not being copied or directly derived from such a form by the applicant; and b) created by a financial services licensee. This relief overcomes any concerns about an application form created by a financial services licensee not being one that is distributed by the offeror or not being copied or directly derived from such a form by the applicant.	MR 14-038 (scheduled for 3/3) RG 107 SCO 14/25 SCO 14/128 REP 385
SCO 14/55 Amendment of Class Order [CO 13/1534]	<i>Issued 25/2/2014 Registered 3/3/2014 Effective 3/3/2014 (date of registration) Automatic repeal under Part 5A LIA</i>	Class Order [CO 14/55] amends Class Order [CO 13/1534] to extend the scope of the First Exemption of [CO 13/1534] to a trustee of an approved deposit fund and a pooled superannuation trust. The duration of the First Exemption is unchanged.	No MR
SCO 14/128 Revocation of Class Order [CO 00/189]	<i>Issued 26/2/2014 Registered 3/3/2014 Effective 3/3/2014 (date of registration) Automatic repeal under Part 5A LIA</i>	Class Order [CO 14/128] revokes Class Order [CO 00/189] as the relief provided by that class order is no longer necessary.	MR 14-038 (scheduled for 3/3) RG 107 SCO 14/25 CO 14/26 REP 385

## Consultation Papers

<b>Title</b>	<b>Release Date</b>	<b>Details</b>	<b>MR/AD and related documents</b>
No consultation papers issued in February.			

## Reports

<b>Title</b>	<b>Release Date</b>	<b>Details</b>	<b>MR/AD and related documents</b>
No reports issued in February.			

## New Rules

<b>Title</b>	<b>Dates</b>	<b>Details</b>	<b>MR/AD and related documents</b>
MIR 14/002 ASIC Market Integrity Rules (ASX Market) Amendment 2014 (No. 1)	<i>Issued 29/1/2014 Registered 7/2/2014 Effective 9/2/2014 (later of day after registration or 9/2/2014)</i> Automatic repeal under Part 5A LIA	This instrument amends the ASIC Market Integrity Rules (ASX Market) 2010 to change the compliance start date for short sale tagging obligation under Rule 5.12.1 from 10 March to 28 July.	None
MIR 14/003 ASIC Market Integrity Rules (Chi-X Australia Market) Amendment 2014 (No. 1)	<i>Issued 29/1/2014 Registered 7/2/2014 Effective 9/2/2014 (later of day after registration or 9/2/2014)</i>	This instrument amends the ASIC Market Integrity Rules (Chi-X Australia Market) 2011 to change the compliance start date for short sale tagging obligation under Rule 5.12.1 from 10 March to 28 July.	None

## Class Rule Waivers

<b>Title</b>	<b>Dates</b>	<b>Details</b>	<b>MR/AD and related documents</b>
No class rule waivers took effect in February.			

## Determinations

<b>Title</b>	<b>Dates</b>	<b>Details</b>	<b>MR/AD and related documents</b>
No determinations made in February.			

## Information sheets

<b>Title</b>	<b>Status</b>	<b>Release Date</b>	<b>Comments</b>	<b>MR/AD and related documents</b>
INFO 31 Financial reports	Reissued	3/2/2014	Technical amendments – updated information on what documents need to be lodged	No MR

Title	Status	Release Date	Comments	MR/AD and related documents
INFO 47 Members of a company	Reissued	17/2/2014	<p>This information sheet explains:</p> <ul style="list-style-type: none"> <li>• what a member is and their role</li> <li>• how to become a member of a company</li> <li>• what changes regarding members and share structures companies need to notify ASIC about</li> <li>• how to access information about a company, and</li> <li>• the rights and responsibilities of members and companies regarding meetings.</li> </ul> <p><b>Minor technical amendments related to the release of new INFO 191 (released on 18/2/2014).</b></p>	No MR
INFO 52 Whistleblowers and whistleblower protection	Reissued	18/2/2014	<p>This information sheet explains:</p> <ul style="list-style-type: none"> <li>• reporting important information to ASIC</li> <li>• how we will communicate with you</li> <li>• who is a whistleblower</li> <li>• the protections available to whistleblowers under the law</li> <li>• how ASIC deals with information from whistleblowers.</li> </ul> <p><b>Update covers ASIC's enhanced its approach to dealing with whistleblower reports.</b></p> <p><b>NOTE: Title has changed from 'Protection for whistleblowers'.</b></p>	MR 13-032
INFO 191 Unsolicited (or unexpected) offers to buy your shares	New	18/2/2014	<p>This information sheet explains what unsolicited offers to buy your shares are and what to do if you are concerned about an unsolicited offer. This information also applies to offers to buy your holdings in listed investment trusts or funds.</p> <p>This information does not apply to offers that are part of share buy-backs or that relate to mergers or takeovers.</p>	No MR
INFO 193 Disputes about share registry services	New	18/2/2014	<p>This information sheet explains what you can do if you have concerns about the service provided, or the information requested, by a company providing share registry services.</p>	No MR
INFO 194 Protecting yourself when you provide goods and services on credit	New	18/2/2014	<p>This information sheet explains some of things you should consider before choosing to provide credit to a company. It covers:</p> <ul style="list-style-type: none"> <li>• secured and unsecured creditors</li> <li>• which creditors are paid first in instances of liquidation, and the Personal Property Securities Register (PPSR).</li> </ul>	No MR