

Attachment 2 to CP 226: Draft instrument



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Advertising by Product Issuers) Instrument 2015

ASIC Legislative Instrument No. XX, 20XX

I, <insert name>, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Dated 2015

<signature>

<insert name>

Delegate of the Australian Securities and Investments Commission

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Part 1—Preliminary

1 Name of legislative instrument

This instrument is *ASIC Corporations (Advertising by Product Issuers) Instrument 2015*.

2 Commencement

This instrument commences on the day after it is recorded in the Federal Register of Legislative Instruments in electronic form.

Note: The register may be accessed at <http://www.comlaw.gov.au>.

3 Authority

This instrument is made under subsections 926A(2) and 951B(1) of the *Corporations Act 2001* (the **Act**).

4 Definitions

In this instrument:

general advice has the meaning given by subsection 766B(4) of the Act.

Part 2—Exemption

5 Advertising-related relief for product issuers

Licensing

- (1) An issuer of a financial product that provides general advice in the form of an advertisement of the financial product does not have to comply with subsection 911(1) of the Act in relation to the advice, provided the advertisement indicates that a person should consider whether or not the product is appropriate for the person.

Financial Services Guide and general advice warning

- (2) A financial services licensee that provides general advice in the form of an advertisement of securities to be issued by the licensee does not have to comply with subsection 941A(1) or 949A(2) of the Act in relation to the advice, provided the advertisement indicates that a person should consider whether or not the securities are appropriate for the person.