

# Attachment 4 to CP 239: Draft instrument



**ASIC**

Australian Securities & Investments Commission

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## **ASIC Corporations (Disregarding Technical Relief) Instrument 2015/XX**

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

Date 2015

<signature>

<insert name>

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## **Part 1—Preliminary**

### **1 Name of legislative instrument**

This instrument is *ASIC Corporations (Disregarding Technical Relief) Instrument 2015/XX*.

### **2 Commencement**

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

Note: The register may be accessed at [www.comlaw.gov.au](http://www.comlaw.gov.au).

### **3 Authority**

This instrument is made under sections 741 and 1020F of the *Corporations Act 2001*.

### **4 Definitions**

In this instrument:

*Act* means the *Corporations Act 2001*.

## Part 2—Declaration

### 5 Disregarding technical relief instruments for certain purposes

Chapter 6D and Part 7.9 of the Act apply to all persons as if the following provisions were modified or varied:

- (a) in section 9 insert the following definition:

*“technical relief instrument* means:

- (a) *ASIC Corporations (Disregarding Technical Relief) Instrument 2015/XX* (and including ASIC Class Orders [CO 01/1455], [CO 04/672] and [CO 07/571] as in force as at the day immediately before the day those class orders were repealed);
- (b) ASIC Class Order [CO 98/100];
- (c) ASIC Class Order [CO 98/101];
- (d) ASIC Class Order [CO 98/104];
- (e) ASIC Class Order [CO 98/1418];
- (f) ASIC Class Order [CO 98/2395];
- (g) ASIC Class Order [CO 99/90];
- (h) ASIC Class Order [CO 00/2449];
- (i) ASIC Class Order [CO 05/642];
- (j) ASIC Class Order [CO 05/644];
- (k) ASIC Class Order [CO 06/441];
- (l) ASIC Class Order [CO 09/425];
- (m) ASIC Class Order [CO 10/321];
- (n) ASIC Class Order [CO 10/322];
- (o) ASIC Class Order [CO 10/654];
- (p) ASIC Class Order [CO 13/1050];
- (q) ASIC Class Order [CO 14/757];

- (r) an order under section 340 to the extent it relieves the entity, or any person as director or auditor of the entity, from the requirements of subsection 323D(3).”;
- (b) in section 9 in the definition of *continuously quoted securities*, at the beginning of both subparagraphs (b)(ii) and (iii), insert “other than a technical relief instrument.”;
- (c) in paragraphs 708AA(2)(e), 708A(5)(d), 1012DAA(2)(e) and 1012DA(5)(d), at the beginning of each respective paragraph, insert “other than a technical relief instrument.”.