

# Attachment 7 to CP 239: Draft instrument



**ASIC**

Australian Securities & Investments Commission

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## **ASIC Corporations (Offer Information Statements) Instrument 2015/XX**

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

Dated 2015

<signature>

<insert name>

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## Contents

<b>Part 1—Preliminary</b>	<b>3</b>
1 Name of legislative instrument.....	3
2 Commencement .....	3
3 Authority.....	3
4 Definitions .....	3
<b>Part 2—Declaration</b>	<b>4</b>
5 Financial reports in offer information statements.....	4

## **Part 1—Preliminary**

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

This instrument is *ASIC Corporations (Offer Information Statements) Instrument 2015/XX*.

### **2 Commencement**

This instrument commences on the day after it is registered 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 section 741 of the *Corporations Act 2001*.

### **4 Definitions**

In this instrument:

*Act* means the *Corporations Act 2001*.

## Part 2—Declaration

### 5 Financial reports in offer information statements

Chapter 6D of the Act applies to all persons as if subsection 715(2) were omitted and substituted with the following subsection:

- “(2) The financial report included under paragraph (1)(i) must:
- (a) be a report for a 12 month period, or a period shorter or longer than 12 months but not by more than 7 days, and have a balance date that occurs within the last 6 months before the securities are first offered under the statement; and
  - (b) be prepared in accordance with the accounting standards; and
  - (c) be audited by a registered company auditor.

Note 1: The financial report can be the annual financial report lodged under Chapter 2M, provided the financial year to which the report relates ends within the last 6 months before the securities are first offered under the statement.

Note 2: If the body is subject to Chapter 2M, the financial report need not be an annual financial report lodged under that Chapter, provided the financial report otherwise complies with subsection (2).”.