



**ASIC**  
Australian Securities &  
Investments Commission

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and Investments Commission**

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[www.asic.gov.au](http://www.asic.gov.au)

<Name>  
<Social media handles and websites>

Our Reference: <ref>

20 April 2026

**By email only:** <contact email>

Dear <influencer>,

**Are you engaging in unlawful conduct online?**

The Australian Securities and Investments Commission (**ASIC**) is Australia's corporate and financial services regulator.

ASIC monitors select online financial discussion by influencers who feature or promote financial products for any misleading or deceptive representations or unlicensed financial services.

ASIC is concerned that you may be contravening Australian financial services laws by carrying on a financial services business in Australia without being authorised to do so. We provide further details below.

We request your response to our questions below **by [date]**.

You should also carefully consider ASIC's guidance [Information Sheet 269 Discussing financial products and services online](#). It is your responsibility to be aware of and comply with your obligations. We encourage you to seek your own legal advice to find out how the law applies to you. ASIC cannot provide you with legal advice.

**ASIC's concerns**

***Unlicensed conduct***

Carrying on a financial services business in Australia without an Australian financial services (**AFS**) licence is an offence under the *Corporations Act 2001* (**Corporations Act**), unless you are authorised as a representative of an AFS licensee, or an exemption applies. The Corporations Act imposes

significant penalties, including up to five years' imprisonment for an individual and financial penalties into the millions of dollars for a corporation.

ASIC is concerned that you may be carrying on a financial services business in Australia because:

- [insert description of conduct and relevant examples]
- Conduct may still constitute financial product advice despite it being described as not being financial advice or being for educational purposes only.

Our records show that you do not hold an AFS licence and are not an authorised representative of an AFS licensee.

### **Response Required**

ASIC requests that you:

1. Confirm the steps that you have taken, or propose to take, to ensure that you comply with the AFS licensing requirements under the Corporations Act, and the proposed timing of these steps.
2. If you do not believe that you are required to hold an AFS licence or be an authorised representative of an AFS licensee, please provide detailed reasons why.
3. Advise the number of 'clients' or 'members' you have who (to the best of your knowledge) are Australian residents.
4. Provide the following details in relation to any AFS licensee or authorised representative of an AFS licensee with which you are currently associated working with, including:
  - a. the name of the AFS licensee or authorised representative;
  - b. an explanation of the relationship between you and the AFS licensee or authorised representative;
  - c. details of any commission or other payments that you receive from the AFS licensee or authorised representative (as applicable)
  - d. how you disclose those payments to your 'clients' or 'members' and if not, why not.

Any information you give to ASIC will be treated in confidence and subject to section 127 of the ASIC Act 2001.

Please do not hesitate to contact ASIC at the above email address should you have any questions about this letter.

Yours faithfully,

[Signature]