

Attachment 2 to CP 271: Draft instrument



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Securities and Managed Investment Scheme Hawking Relief) Instrument 2016/XX

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

Date 2016

[DRAFT ONLY – NOT FOR SIGNATURE]

<signature>

<insert name>

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Part 1—Preliminary

1 Name of legislative instrument

This instrument is *ASIC Corporations (Securities and Managed Investment Scheme Hawking Relief) Instrument 2016/XX*.

2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 992B(1) of the *Corporations Act 2001*.

4 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

Part 2—Exemptions

5 Hawking relief for certain financial products

Relief for unregistered managed investment schemes

- (1) Subsection 992A(1) of the Act does not apply to offerings of interests in managed investment schemes that are not managed investment products.

Relief for securities and interests in managed investment schemes

- (2) Subsection 992A(3) of the Act does not apply to offerings of securities and interests in managed investment schemes.