

Attachment 2 to CS 32: Draft instrument



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment) Instrument 2025/XXX

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

Date 2025

[DRAFT ONLY – NOT FOR SIGNATURE]

<signature>

<insert name>

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2025/XXX*.

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 paragraph 926A(2)(c) of the *Corporations Act 2001*.

4 Schedule

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

ASIC Corporations (Custody Standards for Providers of Custodial and Depository Services) Instrument 2024/17

1 Section 4 (notional subparagraph 912AAC(5)(b)(A)(iii) of the *Corporations Act 2001*)

Omit “and”, substitute “or”.

2 Section 4 (after notional subparagraph 912AAC(5)(b)(A)(iii) of the *Corporations Act 2001*)

Insert:

(iv) digital assets that are financial products; and

3 Section 4 (notional subsection 912AAC(16) of the *Corporations Act 2001*)

Insert:

digital asset means a digital representation of value or rights (including rights to property), the ownership of which is evidenced cryptographically and that is held and transferred electronically by:

- (a) a type of distributed ledger technology; or
- (b) another distributed cryptographically verifiable data structure.