

Attachment 1 to CS 65: Draft instrument



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2026/XX

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

Date 2026

[DRAFT ONLY – NOT FOR SIGNATURE]

<signature>

<insert name>

Contents

Part 1—Preliminary	3
1 Name of legislative instrument.....	3
2 Commencement	3
3 Authority.....	3
4 Schedules	3
5 Simplified outline of this instrument	3
6 Definitions	3
Part 2—Internal dispute resolution information to be provided to ASIC	6
7 Internal dispute resolution information to be provided to ASIC	6
8 Personal information.....	7
Part 3—Savings and transitional	8
9 Application of this instrument and <i>ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2022/205</i>	8
Part 4—Repeal	9
10 Repeal	9
Schedule 1—Repeals	10
<i>ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2022/205</i>	10

Part 1—Preliminary

1 Name of legislative instrument

This instrument is the *ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2026/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 912A(2A) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its term.

5 Simplified outline of this instrument

This instrument specifies the information that financial services licensees must give ASIC relating to their internal dispute resolution (IDR) procedures and the operation of those procedures. The instrument requires that IDR information must be provided to ASIC in a specified form on a periodic basis.

The law requires unlicensed product issuers, credit licensees, trustees of a regulated superannuation fund or an approved deposit fund and RSA providers to report to ASIC as if they were financial services licensees.

6 Definitions

In this instrument:

approved deposit fund has the same meaning as in the SIS Act.

Australian credit licence has the same meaning as in the Credit Act.

authorised deposit-taking institution has the same meaning as in the *Banking Act 1959*.

closed in relation to a complaint received by a financial services licensee means that:

- (a) either of the following apply:
 - (i) the licensee has:
 - (A) provided an IDR response; or
 - (B) resolved the complaint to the complainant's satisfaction; or
 - (C) given the complainant an explanation or apology when the licensee can take no further action to reasonably address the complaint; or
 - (ii) the complaint has been withdrawn, discontinued or referred to another licensee to resolve; and
- (b) the licensee has not reopened the complaint since dealing with the complaint under paragraph (a).

Corporations Act means the *Corporations Act 2001*.

Credit Act means the *National Consumer Credit Protection Act 2009*.

credit licensee means a person who holds an Australian credit licence.

IDR data dictionary means Section B of the IDR data reporting handbook.

IDR data reporting handbook means the ASIC IDR data reporting handbook dated [TBC].

IDR information for a complaint means, for each data element name specified in tables 4 to 6 in the IDR data dictionary, the information that:

- (a) is referred to in the "Description" column of the relevant table; and
- (b) satisfies the requirements contained in the "Permissible values", "Completion requirements" and "Codes" columns of the relevant table.

Note: The reportable information for a data element name may be a blank in certain cases: see the IDR data dictionary.

IDR response, in relation to a complaint received by a financial services licensee, means a written communication from the licensee to the complainant, informing them of the final outcome of their complaint and their right to take the complaint to the Australian Financial Complaints Authority if they are not satisfied.

open in relation to a complaint received by a financial services licensee means a complaint that is not closed.

regulated superannuation fund has the same meaning as in the SIS Act.

Regulatory Portal means ASIC’s web-based Regulatory Portal via which financial firms conduct certain regulatory interactions with ASIC.

reporting period means, in relation to a financial services licensee:

- (a) if the licensee is an authorised deposit-taking institution that is not a significant financial institution (within the meaning of the *Banking, Insurance, Life Insurance and Health Insurance (prudential standard) determination No. 1 of 2026*) and has chosen to report annually—a period of 12 months ending on 30 June; and
- (b) otherwise—a period of 6 months ending on 30 June or 31 December.

RSA Act means the *Retirement Savings Account Act 1997*.

RSA provider has the same meaning as in the RSA Act.

SIS Act means *Superannuation Industry (Supervision) Act 1993*.

Part 2—Internal dispute resolution information to be provided to ASIC

7 Internal dispute resolution information to be provided to ASIC

- (1) Within two months after the end of each reporting period, a financial services licensee must give ASIC the IDR information for each complaint received by the licensee that:
 - (a) is required to be covered, or is covered, by the licensee's internal dispute resolution procedure; and
 - (b) either:
 - (i) was made during the reporting period (*current reporting period*); or
 - (ii) was made on or after 1 July 2023 and was open for at least some of the current reporting period.
- (2) The licensee must give ASIC the IDR information through ASIC's Regulatory Portal in a CSV (comma separated values) format in accordance with Appendix 1 and Appendix 2 of the IDR data reporting handbook.
- (3) If there are no complaints for which the licensee is required to give ASIC IDR information for a reporting period, the licensee must give ASIC a confirmation that it did not have any complaints for that reporting period.
- (4) The licensee must give ASIC the confirmation through ASIC's Regulatory Portal and within two months after the end of the reporting period.

Note 1: The requirement to give ASIC information under this section applies to a financial services licensee that provides financial services covered by its licence to retail clients: see paragraph 912A(1)(g)(ii) of the Corporations Act.

Note 2: The following persons must give the same information to ASIC as if they were a financial services licensee:

- (a) a person to whom paragraph 1017G(1)(d) of the Corporations Act applies;
- (b) a credit licensee: see paragraph 47(1)(ha) of the Credit Act;
- (c) a trustee of a regulated superannuation fund, or of an approved deposit fund, to whom paragraph 101(c) of the SIS Act applies;
- (d) an RSA provider to whom paragraph 47(1)(d) of the RSA Act applies.

8 Personal information

For the avoidance of doubt, nothing in this instrument requires a financial services licensee to give ASIC any information that is personal information within the meaning of the *Privacy Act 1988*.

Part 3—Savings and transitional

9 Application of this instrument and *ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2022/205*

- (1) This instrument applies in relation to reporting periods ending on or after 30 June 2027.
- (2) *ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2022/205* continues to apply, despite its repeal, in relation to the reporting period ending on 31 December 2026.

Part 4—Repeal

10 Repeal

This instrument is repealed at the start of 1 April 2032.

Schedule 1—Repeals

ASIC Corporations (Internal Dispute Resolution Data Reporting) Instrument 2022/205

1 The whole of the instrument

Repeal the instrument.