

Attachment 2 to CS 46: Draft instrument



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Exchange-Traded Warrants) Instrument 2026/<Number>

I, Andrew Templer, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 1 April 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—Exemption	5
7 Exchange-traded managed investment warrants.....	5
8 Conditions.....	5
Part 3—Declaration	6
9 Exchange-traded warrants	6
Part 4—Repeal	7
10 Repeal	7
Schedule 1—Repeals	8
<i>ASIC Corporations (Exchange-Traded Warrants) Instrument 2016/886</i>	8

Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Exchange-Traded Warrants) Instrument 2026/<Number>*.

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 subsections 111AT(1) and 1020F(1) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Simplified outline of this instrument

This instrument exempts issuers of exchange-traded managed investment warrants from financial reporting, continuous disclosure, periodic statement and certain Product Disclosure Statement requirements in Chapters 2M and 6CA and Part 7.9 of the Act. The exemption is subject to a condition that the warrant issuer provides ongoing disclosure of material changes and significant events.

This instrument also modifies Part 7.9 of the Act so that the secondary sale of exchange-traded warrants on a declared financial market does not require the provision of a Product Disclosure Statement.

6 Definitions

Act means the *Corporations Act 2001*.

exchange-traded managed investment warrant means a financial product that satisfies all the following:

- (a) the product is an exchange-traded warrant;

- (b) the product is an arrangement in relation to which paragraphs 761D(1)(a) to (c) of the Act apply;
- (c) the product is of a kind referred to in subparagraph 764A(1)(b)(ii) or 764A(1)(ba)(ii) of the Act;
- (d) the product is transferable.

exchange-traded warrant means a warrant within the meaning of the operating rules of the declared financial market on which it has been admitted to trading status or quotation.

issuer has the meaning given by section 761E of the Act.

Short-Form PDS has the meaning given by Division 3A of Part 7.9 of the Act as notionally inserted by Part 3 of Schedule 10BA to the *Corporations Regulations 2001*.

Part 2—Exemption

7 Exchange-traded managed investment warrants

- (1) An issuer (a *warrant issuer*) of an exchange-traded managed investment warrant does not have to comply with:
 - (a) section 1013I of the Act in relation to a Product Disclosure Statement or Short-Form PDS in relation to the warrant; or
 - (b) section 1015B of the Act in relation to a Product Disclosure Statement in relation to the warrant; or
 - (c) section 1017D of the Act in relation to the warrant.

Note 1: The consequences of relying on the exemption from section 1015B of the Act include paragraph 1013G(a), section 1013J and subsection 1016B(1) of the Act not applying in relation to the relevant Product Disclosure Statement, and section 1015D of the Act applying in relation to that Statement.

Note 2: Section 1015B of the Act does not apply to a Short-Form PDS.

- (2) A warrant issuer does not have to comply with the disclosing entity provisions if the warrant issuer is a disclosing entity only because one or more classes of exchange-traded managed investment warrants of the warrant issuer are ED securities.

8 Conditions

A warrant issuer that relies on an exemption in section 7 in relation to an exchange-traded managed investment warrant must comply with section 1017B of the Act in relation to the warrant as if subsection 1017B(2) were omitted.

Part 3—Declaration

9 Exchange-traded warrants

- (1) Part 7.9 of the Act applies in relation to an exchange-traded warrant as if item 3 in the table in subsection 761E(3) of the Act were omitted.
- (2) Subsection (1) applies where the exchange-traded warrant is acquired on the declared financial market in relation to which it has been admitted to trading status or quotation.

Part 4—Repeal

10 Repeal

This instrument is repealed at the start of 1 April 2031.

Schedule 1—Repeals

ASIC Corporations (Exchange-Traded Warrants) Instrument 2016/886

1 The whole of the instrument

Repeal the instrument.