

Australian Securities and Investments Commission – Table of regulatory documents

Documents released during January–June 2021

New regulatory guides

Title	Release Date	Details	Media release and related documents
No new regulatory guides issued in January–June 2021			

Amended or reissued regulatory guides

Title	Release Date	Details	Media release and related documents
RG 1 AFS Licensing Kit: Part 1 – Applying for and varying an AFS licence	15/1/2021	<p>This is a guide for applicants applying for an AFS licence or to vary their licence, including foreign financial services providers relying on ASIC Corporations (Foreign Financial Services Providers—Foreign AFS Licensees) Instrument 2020/198.</p> <p>Applicants should also read Part 2 of the AFS Licensing Kit (RG 2), which outlines how to:</p> <ul style="list-style-type: none"> complete the online forms FS01 Application for AFS licence and FS03 Application for variation of authorisation and other conditions and prepare ‘core’ supporting proof documents. <p>Applicants will need to read Part 3 (RG 3) if they are asked to send us ‘additional’ proof documents.</p> <p>Note 1: It is an offence under s1308 of the Corporations Act to provide false or misleading information to ASIC. ASIC must not grant an AFS licence if an applicant provided false or misleading information in its application (including a material omission). False or misleading information in an application (including a material omission) is also grounds to revoke any licence granted based on the application.</p> <p>Note 2: From 27 July 2020, applications for relief should be submitted through the ASIC Regulatory Portal. For more information, see how you apply for relief.</p> <p>ASIC has reissued Regulatory Guide 1 AFS Licensing Kit: Part 1 – Applying for and varying an AFS licence (RG 1) and Regulatory Guide 2 Licensing Kit: Part 2 – Preparing your AFS licence application (RG 2) making technical updates to add ‘providing a claims handling and settling service’ as a financial service for the purposes of applying for an AFS licence (in line with the addition of the C12 proof, Insurance Claims Handling and Settling Service Statement to Regulatory Guide 3 AFS Licensing Kit: Part 3 – Preparing your additional proofs (RG 3) on 24 December 2020).</p> <p>The updated regulatory guides will help applicants prepare an application for an AFS licence (or variation to an existing AFS licence) authorising them to provide an insurance claims handling and settling service. Applicants can apply for an AFS licence or variation with this authorisation from 1 January 2021.</p>	No MR

Title	Release Date	Details	Media release and related documents
RG 2 Licensing Kit: Part 2 – Preparing your AFS licence application	15/1/2020	<p>This is a guide for applicants applying for an AFS licence or to vary their licence, including foreign financial services providers relying on ASIC Corporations (Foreign Financial Services Providers—Foreign AFS Licensees) Instrument 2020/198. This guide forms Part 2 of the AFS Licensing Kit and outlines how to:</p> <ul style="list-style-type: none"> • complete the online forms FS01 Application for AFS licence and FS03 Application for variation of authorisation and other conditions; and • prepare core proof documents. <p>An application for an AFS licence or a licence variation comprises the relevant application form and supporting core proof documents, with all of these documents provided to us at the same time.</p> <p>Note: It is an offence under s1308 of the Corporations Act to provide false or misleading information to ASIC. ASIC must not grant an AFS licence if an applicant provides materially false or misleading information in its application (including by omission). ASIC may also cancel an AFS licence granted based on the application that contained materially false or misleading information (including by omission).</p> <p>Applicants should also read Part 1 (RG 1), which explains the process of applying for and varying an AFS licence. Applicants will need to read Part 3 (RG 3) if they are asked to send us ‘additional’ proof documents.</p> <p>ASIC has reissued Regulatory Guide 1 AFS Licensing Kit: Part 1 – Applying for and varying an AFS licence (RG 1) and Regulatory Guide 2 Licensing Kit: Part 2 – Preparing your AFS licence application (RG 2) making technical updates to add ‘providing a claims handling and settling service’ as a financial service for the purposes of applying for an AFS licence (in line with the addition of the C12 proof, Insurance Claims Handling and Settling Service Statement to Regulatory Guide 3 AFS Licensing Kit: Part 3 – Preparing your additional proofs (RG 3) on 24 December 2020).</p> <p>The updated regulatory guides will help applicants prepare an application for an AFS licence (or variation to an existing AFS licence) authorising them to provide an insurance claims handling and settling service. Applicants can apply for an AFS licence or variation with this authorisation from 1 January 2021.</p>	No MR

Title	Release Date	Details	Media release and related documents
RG 216 Markets Disciplinary Panel	21/1/2021	<p>This guide is for those who are subject to the market integrity rules—principally, market participants.</p> <p>It explains the disciplinary framework for the market integrity rules, the function of the Markets Disciplinary Panel (MDP), and the policies that the MDP will take into account when making decisions about alleged contraventions of the market integrity rules.</p> <p>Updated to clarify that the MDP has an obligation to offer the market participant an in-person hearing. However, the market participant is not obliged to take up the opportunity to have an in-person hearing and, if they do not wish to take up the opportunity, it is open to the MDP to offer a conference instead (e.g. a video conference).</p>	No MR
RG 96 Debt collection guideline: For collectors and creditors	13/4/2021	<p>This guideline has been jointly produced by the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC).</p> <p>The guideline will help you to understand how the Commonwealth consumer protection laws apply.</p> <p>The guideline applies to both creditors who are directly involved in debt collection and to specialist external agencies who provide debt collection services.</p> <p>The guideline also provides helpful guidance for debtors.</p> <p>Legislation references specific to field agents in Queensland updated.</p>	No MR

Title	Release Date	Details	Media release and related documents
RG 166 Licensing: Financial requirements	29/4/2021	<p>This guide sets out the financial requirements you must meet as the holder of an Australian financial services (AFS) licence. The requirements vary depending on the financial products and services you offer.</p> <p>If you are a body regulated by the Australian Prudential Regulation Authority (APRA), as defined in s3(2) of the <i>Australian Prudential Regulation Authority Act 1998</i> (APRA Act), and are not required to comply with s912A(1)(d) of the <i>Corporations Act 2001</i> (Corporations Act), this guide does not apply to you.</p> <p>Note: From 1 July 2015, if you are the holder of a registrable superannuation entity (RSE) licence from APRA that is also authorised to operate registered managed investment schemes, you will be required to comply with s912A(1)(d).</p> <p>Updated to reflect changes made to the financial requirements for some types of Australian financial services (AFS) licensees in relation to the treatment of leased assets. These changes will allow certain AFS licensees to include, where the licensee is a lessee, a right-of-use asset in the calculation of their net tangible assets and, where the right-of-use asset is a current asset, adjusted surplus liquid funds and surplus liquid funds.</p>	<p>MR 21-088</p> <p>LI 21/299</p> <p>SLI 21/230</p> <p>PF 209</p> <p>REP 689</p>
RG 110 Share buy-backs	3/6/2021	<p>This is a guide for companies, their advisers and investors involved in or affected by share buy-backs.</p> <p>This guide explains what a company should do to comply with Div 2 of Pt 2J.1 (the buy-back provisions) of the <i>Corporations Act 2001</i> (the Corporations Act), including the procedures that a company needs to follow in conducting a buy-back and the information that must be disclosed to shareholders. It also explains how ASIC may exercise its powers to grant relief from certain requirements to obtain shareholder approval.</p> <p>Minor technical updates: Information at RG 110.5 on how to lodge documents with ASIC corrected and Rows D and E of Table 1 updated.</p> <p>Note: Issue date unchanged.</p>	No MR

Title	Release Date	Details	Media release and related documents
RG 175 Licensing: Financial Product Advisers-Conduct and Disclosure	15/6/2021	<p>This guide is for persons who provide financial product advice to retail clients, and their professional advisers (such as lawyers). It considers how certain conduct and disclosure obligations in Pt 7.7 and Div 2 of Pt 7.7A of the Corporations Act apply to the provision of financial product advice.</p> <p>Consequential amendments to reflect the release of new INFO 256 and new advice obligations introduced into the <i>Corporations Act 2001</i>, following the Financial Services Royal Commission. It includes an example of the lack of independence disclosure statement to help advisers understand the requirements in <i>ASIC Corporations (Disclosure of Lack of Independence) Instrument 2021/125</i>.</p>	MR 21-134 INFO 256 (Withdrawn RG 245)
RG 182 Dollar disclosure	29/6/2021	<p>This guide is for Australian financial services (AFS) licensees and authorised representatives (providing entities) and product issuers.</p> <p>It sets out how we will administer the 'dollar disclosure provisions' under the <i>Corporations Act 2001</i> and the <i>Corporations Regulations 2001</i>, the relief we have granted from these provisions and our approach to granting relief.</p> <p>The dollar disclosure provisions require various costs, fees, charges, expenses, benefits and interests to be disclosed as Australian dollar amounts in Statements of Advice, Product Disclosure Statements and periodic statements, including exit statements, except when we have granted relief.</p> <p>Updated to reflect new <i>Treasury Laws Amendment (Miscellaneous and Technical Amendments) Regulations 2021</i> which commence 1 July 2021.</p>	MR 21-134 (Editor's note) INFO 256 INFO 288 RG 255

Title	Release Date	Details	Media release and related documents
RG 255 Providing digital financial product advice to retail clients	29/6/2021	<p>Digital advice (also known as robo-advice or automated advice) is the provision of automated financial product advice using algorithms and technology and without the direct involvement of a human adviser.</p> <p>This regulatory guide brings together some of the issues that persons providing digital advice to retail clients need to consider when operating in Australia—from the licensing stage (i.e. obtaining an Australian financial services (AFS) licence) through to the actual provision of advice.</p> <p>Updated to reflect new <i>Treasury Laws Amendment (Miscellaneous and Technical Amendments) Regulations 2021</i> which commence 1 July 2021.</p>	<p>MR 21-134 (Editor's note)</p> <p>INFO 256</p> <p>INFO 288</p> <p>RG 182</p>

Legislative instruments

Title	Dates	Details	Media release and related documents
ASIC Corporations (AFCA Regulatory Requirement) Instrument 2021/0002	<p><i>Issued 5/1/2021</i></p> <p><i>Registered 6/1/2021: F2021L00023</i></p> <p><i>Effective 7/1/2021 (day after registration)</i></p>	<p><i>ASIC Corporations (AFCA Regulatory Requirement) Instrument 2021/0002</i> requires the Australian Financial Complaints Authority to amend the Australian Financial Complaints Authority (AFCA) Complaint Resolution Scheme Rules without consultation by inserting a new definition and amending an existing definition.</p>	No MR
ASIC Corporations (Approval of Variation of March 2020 Banking Code of Practice) Instrument 2021/11	<p><i>Issued 7/1/2021</i></p> <p><i>Registered 11/1/2021: F2021L00043</i></p> <p><i>Effective 12/1/2021 (day after registration)</i></p>	<p><i>ASIC Corporations (Approval of Variation of March 2020 Banking Code of Practice) Instrument 2021/11</i> approves variations of the March 2020 Banking Code of Practice. The variations, as proposed by the Australian Banking Association (ABA), do the following:</p> <ul style="list-style-type: none"> • Amend the Code's definition of 'banking services' to address an anomaly in the Code's previous wording that had the unintended result of excluding certain types of small business banking customers who would otherwise meet the Code's definition of 'small business'. • Make some minor amendments to the Code's definition of 'small business'. • Extend the application of the Code's COVID-19 Special Note, which allows for special application of specified Code provisions in light of the extraordinary external environment caused by COVID-19, for a further six months until 1 September 2021. • Specify situations in which banks may decline to continue dealing with a representative that a customer in financial difficulty has appointed, if the bank reasonably considers that representative is no longer able to act in the customer's best interests. • Align the Code's timeframes for responding to complaints with the updated timeframes in ASIC's Regulatory Guide 271 <i>Internal dispute resolution</i> (RG 271), which is due to commence on 5 October 2021. 	MR 20-003

Title	Dates	Details	Media release and related documents
ASIC Corporations (Amendment) Instrument 2021/116	<p><i>Issued 19/2/2021</i></p> <p><i>Registered 19/2/2021: F2021L00132</i></p> <p><i>Effective 20/2/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/116</i> amends the <i>ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787</i> to provide for a sunset date of 22 August 2025.</p>	MR 21-028
ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2021/136	<p><i>Issued 2/3/2021</i></p> <p><i>Registered 3/3/2021: F2021L00194</i></p> <p><i>Effective 6/4/2021 (later of 6 April 2021 or 20 business days after day after registration)</i></p>	<p><i>ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2021/136</i> repeals the <i>ASIC Market Integrity Rules (Securities Markets) Determination 2020/1102</i> which has been replaced by <i>ASIC Market Integrity Rules (Securities Markets) Determination 2021/135</i> (see 'Determinations' below)</p>	No MR DET 21/135
ASIC (Amendment) Instrument 2021/0139	<p><i>Issued 11/3/2021</i></p> <p><i>Registered 15/3/2021: F2021L00233</i></p> <p><i>Effective 16/3/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC (Amendment) Instrument 2021/0139</i> amends the <i>ASIC (Senior Staff Members—Determination) Instrument 2019/117</i> to facilitate the delegation of various powers to the Chief Operating Officer, a newly created senior position within ASIC's management structure.</p>	No MR
ASIC Corporations (Consent to Deductions—Ongoing Fee Arrangements) Instrument 2021/124	<p><i>Issued 23/3/2021</i></p> <p><i>Registered 24/3/2021: F2021L00299</i></p> <p><i>Effective 1/7/2021 (later of 1 July 2021 and day after registration)</i></p>	<p><i>ASIC Corporations (Consent to Deductions—Ongoing Fee Arrangements) Instrument 2021/124</i> prescribes requirements for written consent in relation to an ongoing fee arrangement.</p>	<p>MR 21-058</p> <p>LI 21/125</p> <p>LI 21/126</p> <p>REP 687</p> <p>Example of written consent form (ongoing fees) (PDF 137 KB)</p> <p>Example written consent form (non-ongoing fees) (PDF 88 KB)</p> <p>FAQs</p>

Title	Dates	Details	Media release and related documents
ASIC Corporations (Disclosure of Lack of Independence) Instrument 2021/125	<p><i>Issued 23/3/2021</i></p> <p><i>Registered 24/3/2021: F2021L00300</i></p> <p><i>Effective 1/7/2021 (later of 1 July 2021 and day after registration)</i></p>	<p><i>ASIC Corporations (Disclosure of Lack of Independence) Instrument 2021/125</i> prescribes lack of independence disclosure in Financial Services Guide.</p>	<p>MR 21-058</p> <p>LI 21/124</p> <p>LI 21/126</p> <p>REP 687</p> <p>Example of written consent form (ongoing fees) (PDF 137 KB)</p> <p>Example written consent form (non-ongoing fees) (PDF 88 KB)</p> <p>FAQs</p>
ASIC Superannuation (Consent to Pass on Costs of Providing Advice) Instrument 2021/126	<p><i>Issued 23/3/2021</i></p> <p><i>Registered 24/3/2021: F2021L00301</i></p> <p><i>Effective 1/7/2021 (later of 1 July 2021 and day after registration)</i></p>	<p><i>ASIC Superannuation (Consent to Pass on Costs of Providing Advice) Instrument 2021/126</i> determines minimum requirements for the written consent that must be provided before fees are deducted from superannuation under an arrangement that is not an ongoing fee arrangement.</p>	<p>MR 21-058</p> <p>LI 21/124</p> <p>LI 21/125</p> <p>REP 687</p> <p>Example of written consent form (ongoing fees) (PDF 137 KB)</p> <p>Example written consent form (non-ongoing fees) (PDF 88 KB)</p> <p>FAQs</p>
ASIC Corporations (Margin Lending Relief for Exchange-Traded Instalment Warrants) Instrument 2021/194	<p><i>Issued 24/3/2021</i></p> <p><i>Registered 26/3/2021: F2021L00349</i></p> <p><i>Effective 1/4/2021 (later of 1 April 2021 or day after registration)</i></p>	<p><i>ASIC Corporations (Margin Lending Relief for Exchange-Traded Instalment Warrants) Instrument 2021/194</i> declares that certain types of instalment warrants admitted to quotation on a licensed market operated by an Australian domestic market licensee, are not margin lending facilities.</p>	<p>None</p>
ASIC Corporations (Parent Entity Financial Statements) Instrument 2021/195	<p><i>Issued 24/3/2021</i></p> <p><i>Registered 25/3/2021: F2021L00329</i></p> <p><i>Effective 26/3/2021 (day after registration)</i></p>	<p><i>ASIC Corporations (Parent Entity Financial Statements) Instrument 2021/195</i> allows a parent entity which is required to include consolidated financial statements in its financial report to also include its single entity financial statements in that report.</p>	<p>SLI 21/196</p>

Title	Dates	Details	Media release and related documents
ASIC Corporations (Amendment and Repeal) Instrument 2021/196	<p><i>Issued 24/3/2021</i></p> <p><i>Registered 25/3/2021: F2021L00330</i></p> <p><i>Effective 26/3/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment and Repeal) Instrument 2021/196 amends:</i></p> <ul style="list-style-type: none"> • <i>Class Order [CO 13/1050] Financial reporting by stapled entities</i> • <i>ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73</i> • <i>ASIC Corporations (Stapled Group Reports) Instrument 2015/838,</i> <p>and repeals:</p> <ul style="list-style-type: none"> • <i>Class Order [CO 10/654] Inclusion of parent entity financial statements in financial reports</i> • <i>ASIC Corporations (Amendment and Repeal) Instrument 2015/843.</i> 	LI 21/195
ASIC Corporations (Short Term Trading Market) Instrument 2021/218	<p><i>Issued 24/3/2021</i></p> <p><i>Registered 25/3/2021: F2021L00341</i></p> <p><i>Effective 1/4/2021 (later of 1 April 2021 or day after registration)</i></p>	<p><i>ASIC Corporations (Short Term Trading Market) Instrument 2021/218</i> provides relief from the requirement to hold an AFS licence for AEMO and participants of AEMO in relation to ex ante rights on AEMO's short term trading market</p>	No MR
ASIC Corporations (Product Intervention Order—Binary Options) Instrument 2021/240	<p><i>Issued 1/4/2021</i></p> <p><i>Registered 6/4/2021: F2021L00421</i></p> <p><i>Effective 7/4/2021 (later of 1 April 2021 or day after registration)</i></p>	<p><i>ASIC Corporations (Product Intervention Order—Binary Options) Instrument 2021/240</i> is a product intervention order that prohibits issuing and other specified dealing in over-the-counter binary options in relation to retail clients and requires binary option issuers to take reasonable steps to notify their retail clients of the terms of the instrument.</p>	<p>MR 21-060</p> <p>MR 21-064</p> <p>Product intervention order notice (PDF 673 KB)</p>

Title	Dates	Details	Media release and related documents
ASIC Corporations (COVID-19—Advice-related Relief) Instrument 2021/268	<p><i>Issued 13/4/2021</i></p> <p><i>Registered 14/4/2021: F2021L00433</i></p> <p><i>Effective 15/4/2021 (later of 15 April 2021 or day after registration)</i></p>	<p><i>ASIC Corporations (COVID-19—Advice-related Relief) Instrument 2021/268</i> facilitates the provision of affordable and timely financial product advice to clients and reduces the regulatory disclosure burden on providing entities due to the COVID-19 pandemic by continuing the temporary relief in <i>ASIC Corporations (COVID-19—Advice-related Relief) Instrument 2020/355</i> that allows a record of advice to be provided to existing clients in relation to COVID-19 advice in certain circumstances.</p>	<p>MR 21-072</p> <p>FAQs</p>
ASIC Corporations (Amendment) Instrument 2021/292	<p><i>Issued 23/4/2021</i></p> <p><i>Registered 27/4/2021: F2021L00489</i></p> <p><i>Effective 28/4/2021 (Sch 1) and 28/4/2022 (Sch 2)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/292</i> amends the <i>ASIC Corporations (Disclosure in Dollars) Instrument 2016/767</i> to provide conditional relief from dollar disclosure requirements that apply in relation to the PDSs of registered litigation funding schemes, and amends the <i>ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787</i> to add a note.</p>	<p>No MR</p>
ASIC Corporations (Auditor Independence) Instrument 2021/75	<p><i>Issued 26/4/2021</i></p> <p><i>Registered 6/5/2021: F2021L00549</i></p> <p><i>Effective 7/5/2021 (day after registration)</i></p>	<p><i>ASIC Corporations (Auditor Independence) Instrument 2021/75</i> provides relief to the lead auditor from reporting in the auditor's independence declaration, minor financial interests in an entity audited by an audit firm where the interest is held by any other partner of the firm or their close family members.</p>	<p>No MR</p>
ASIC Corporations (Licence Conditions—Treatment of Lease Assets) Instrument 2021/229	<p><i>Issued 26/4/2021</i></p> <p><i>Registered 28/4/2021: F2021L00493</i></p> <p><i>Effective 29/4/2021 (day after registration)</i></p>	<p><i>ASIC Corporations (Licence Conditions—Treatment of Lease Assets) Instrument 2021/229</i> deems that a right-of-use asset is not included in the definition of 'excluded assets' and, therefore, will be included in an Australian financial services licensee's adjusted assets calculation.</p>	<p>MR 21-088</p> <p>SLI 21/230</p> <p>RG 166</p> <p>PF 209</p>

Title	Dates	Details	Media release and related documents
ASIC Corporations (Amendment) Instrument 2021/230	<p><i>Issued 26/4/2021</i></p> <p><i>Registered 28/4/2021: F2021L00493</i></p> <p><i>Effective 29/4/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/230</i> amends Class Orders:</p> <ul style="list-style-type: none"> • [CO 12/752] <i>Financial requirements for retail OTC derivative issuers</i> • [CO 13/760] <i>Financial requirements for responsible entities and operators of investor directed portfolio services, and</i> • [CO 13/761] <i>Financial requirements for custodial or depository service providers,</i> <p>to allow an Australian financial services licensee to include a right-of-use asset in its calculation of net tangible assets.</p>	<p>MR 21-088</p> <p>LI 21/229</p> <p>RG 166</p> <p>PF 209</p>
ASIC Corporations (Amendment) Instrument 2021/315	<p><i>Issued 26/4/2021</i></p> <p><i>Registered 27/4/2021: F2021L00493</i></p> <p><i>Effective 28/4/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/315</i> extends temporary measures aimed at facilitating financial reporting by unlisted and listed entities whose reporting processes take additional time due to current remote work arrangements, travel restrictions and other impacts of COVID-19. The temporary measures are intended to allow listed and unlisted entities up to one additional month to complete financial reports and have those reports audited in compliance with the financial reporting and audit requirements of the <i>Corporations Act 2001</i>.</p>	<p>MR 21-082</p>
ASIC (Amendment) Instrument 2021/344	<p><i>Issued 7/5/2021</i></p> <p><i>Registered 10/5/2021: F2021L00557</i></p> <p><i>Effective 11/5/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC (Amendment) Instrument 2021/344</i> amends <i>ASIC (Senior Staff Members—Determination) Instrument 2019/117</i> to facilitate the delegation of employment powers to certain staff within ASIC.</p>	<p>No MR</p>
ASIC Corporations (Amendment) Instrument 2021/381	<p><i>Issued 7/5/2021</i></p> <p><i>Registered 10/5/2021: F2021L00560</i></p> <p><i>Effective 11/5/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/381</i> amends:</p> <ul style="list-style-type: none"> • <i>ASIC Corporations (Auditor Independence) Instrument 2021/75</i> • <i>ASIC Corporations (Parent Entity Financial Statements) Instrument 2021/195,</i> <p>to change the repeal dates from April 2026 to April 2024.</p>	<p>No MR</p>

Title	Dates	Details	Media release and related documents
ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2021/517	<p><i>Issued 8/6/2021</i></p> <p><i>Registered 9/6/2021: F2021L00722</i></p> <p><i>Effective 12/7/2021 (later of 12 July 2021 or 20 business days after day of registration)</i></p>	<p><i>ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2021/517 repeals ASIC Market Integrity Rules (Securities Markets) Determination 2021/135, which will be superseded by the ASIC Market Integrity Rules (Securities Markets) Determination 2021/509 (see 'Determinations' below).</i></p>	No MR
ASIC Corporations (Amendment) Instrument 2021/510	<p><i>Issued 9/6/2021</i></p> <p><i>Registered 11/6/2021: F2021L00732</i></p> <p><i>Gazetted 15/6/2021: Gaz A24/21</i></p> <p><i>Effective 15/6/2021 (later of gazettal or day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/510 amends:</i></p> <ul style="list-style-type: none"> • <i>ASIC Corporations (Repeal and Transitional) Instrument 2016/396</i> • <i>ASIC Corporations (Foreign Financial Services Providers—Limited Connection) Instrument 2017/182, and</i> • <i>ASIC Corporations (CSSF-Regulated Financial Services Providers) Instrument 2016/1109,</i> <p>to preserve the effect of relief.</p> <p>It also amends <i>ASIC Corporations (Foreign Financial Services Providers—Funds Management Financial Services) Instrument 2020/199</i> to delay commencement.</p>	MR 21-131
ASIC Credit (Mandatory Credit Reporting) Instrument 2021/541	<p><i>Issued 11/6/2021</i></p> <p><i>Registered 15/6/2021: F2021L00750</i></p> <p><i>Effective 16/6/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Credit (Mandatory Credit Reporting) Instrument 2021/541 determines certain kinds of accounts as not being eligible credit accounts for the purposes of section 133CO of the National Consumer Credit Protection Act 2009.</i></p>	No MR
ASIC Corporations (Amendment) Instrument 2021/550	<p><i>Issued 16/6/2021</i></p> <p><i>Registered 18/6/2021: F2021L00780</i></p> <p><i>Effective 1/7/2021 (later of day after registration or 1 July 2021)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/550 amends ASIC Corporations (Superannuation and Schemes: Underlying Investments) Instrument 2016/378 to extend the AFS licence relief in the section 5 exemption to trustees of registrable superannuation entities.</i></p>	21-141MR

Title	Dates	Details	Media release and related documents
ASIC Corporations (Amendment) Instrument 2021/299	<p><i>Issued 18/6/2021</i></p> <p><i>Registered 21/6/2021: F2021L00795</i></p> <p><i>Effective 22/6/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/299</i> amends Class Order [CO 13/721] <i>Relief to facilitate quotation of exchange traded funds on the AQUA Market</i> to allow ETF issuers to use overseas market makers.</p>	21-142MR
ASIC Corporations (Amendment) Instrument 2021/500	<p><i>Issued 18/6/2021</i></p> <p><i>Registered 21/6/2021: F2021L00795</i></p> <p><i>Effective 22/6/2021 (day after registration)</i></p> <p>Automatic repeal under s48A Legislation Act</p>	<p><i>ASIC Corporations (Amendment) Instrument 2021/500</i> amends Class Order [CO 14/1262] <i>Relief for 31 day notice term deposits</i> to extend relief for an additional three years to 30 June 2024.</p>	None

Consultation papers

Title	Release Date	Details	Media release and related documents
CP 337 Externally administered companies: Extending financial reporting and AGM relief	28/1/2021	<p>This consultation paper is about extending the relief available under <i>ASIC Corporations (Externally-Administered Bodies) Instrument 2015/251</i>. It sets out our proposals to:</p> <ul style="list-style-type: none"> • extend the period of deferral of financial reporting obligations available for certain externally administered companies; and • provide AGM deferral relief to public companies in external administration to align with financial reporting relief. <p>We are seeking feedback from insolvency practitioners, law firms, industry, creditors, members and other stakeholders on our proposals.</p>	MR 21-009
CP 338 Remaking ASIC class order on parent entity financial statements: [CO 10/654]	9/2/2021	<p>This consultation paper sets out ASIC’s proposal to remake our class order on parent entity financial statements. Under the <i>Legislation Act 2003</i>, this class order will expire (‘sunset’) if not remade.</p> <p>We are seeking feedback from preparers of financial reports on our proposal to remake, without significant changes, Class Order [CO 10/654] <i>Inclusion of parent entity financial statements in financial reports</i>, which is due to expire on 1 April 2021.</p> <p>Note: The draft ASIC instrument is available on our website at www.asic.gov.au/cp under CP 338.</p>	No MR Attachment to CP 338: Draft instrument (PDF 117 KB)
CP 339 Implementing the Royal Commission recommendations: The deferred sales model for add-on insurance	11/3/2021	<p>This consultation paper seeks feedback on ASIC’s proposed approach to implementation of the deferred sales model for add-on insurance.</p> <p>We are seeking the views of interested stakeholders, including industry and consumers, on our proposals for guidance on complying with the deferred sales model, our approach to the granting of exemptions, and the content, form and manner of provision of the prescribed information that must be given to a customer before the deferral period starts.</p>	MR 21-043 Attachment 1 to CP 339: Draft regulatory guide Attachment 2 to CP 339: Data template for applications for exemption from the deferred sales model

Title	Release Date	Details	Media release and related documents
CP 340 Breach reporting and related obligations	22/4/2021	<p>This consultation paper sets out our proposals for providing guidance to Australian financial services (AFS) licensees and Australian credit licensees (credit licensees) on the breach reporting obligation that applies from 1 October 2021.</p> <p>It also sets out our proposals for guidance on the new obligations for AFS licensees who are financial advisers and credit licensees who are mortgage brokers. The obligations require these licensees to notify, investigate and remediate breaches of the law in certain circumstances.</p>	<p>MR 21-080</p> <p>Draft regulatory guide (PDF 613 KB)</p> <p>Draft information sheet (PDF 217 KB)</p>
CP 341 Review of the ePayments Code: Further consultation	21/5/2021	<p>This consultation paper is the second of two papers ASIC has issued on our review of the ePayments Code (Code).</p> <p>This paper seeks further feedback from stakeholders on our proposals for modifications to the Code to ensure it remains relevant and effective.</p>	MR 21-108
CP 342 Proposed amendments to the ASIC market integrity rules and other ASIC-made rules	30/6/2021	<p>This paper sets out our proposals to amend the <i>ASIC Market Integrity Rules (Securities Markets) 2017</i> and the <i>ASIC Market Integrity Rules (Futures Markets) 2017</i>, and make other machinery amendments to market integrity rules made under s798G of the <i>Corporations Act 2001</i>. We are seeking the views of interested stakeholders on our proposals.</p>	MR 21-155
CP 343 Crypto-assets as underlying assets for ETPs and other investment products	30/6/2021	<p>This consultation paper is about how exchange traded products (ETPs) that invest in, or provide exposure to, crypto-assets can meet existing regulatory expectations for ETPs. The paper sets out our proposals on good practice for market operators and product issuers so that these products can be facilitated in a way that maintains Australia's fair, orderly and transparent markets.</p> <p>It also sets out our proposals on good practice that apply to other investment products that could provide retail investors with exposure to crypto-assets so that similar financial products are subject to similar good practice expectations. These other investment products are listed investment companies, listed investment trusts and unlisted registered managed investment schemes.</p>	MR 21-153 podcast

Reports

Title	Release Date	Details	Media release and related documents
REP 685 ASIC's regtech initiatives 2019-20	20/1/2021	<p>This report is for representatives, service providers, and professionals across the regulatory technology (regtech) and supervisory technology (suptech) industries.</p> <p>It summarises the regtech initiatives ASIC undertook and the regtech events we held during the 2019–20 financial year.</p>	No MR
REP 686 Review of competition in the Australian funds management industry	1/3/2021	Interim report prepared by Deloitte Access Economics, engaged by ASIC to review where competition in the Australian funds management industry is effective, where it is not, and the reasons for this.	No MR
REP 687 Response to submissions on CP 329 on advice fee consents and independence disclosure	25/3/2021	<p>This report highlights the key issues that arose out of the submissions received on Consultation Paper 329 <i>Implementing the Royal Commission recommendations: Advice fee consents and independence disclosure</i> (CP 329) and details our responses to those issues.</p>	<p>MR 21-058</p> <p>LI 21/124</p> <p>LI 21/125</p> <p>LI 21/126</p> <p>Sample form (ongoing fees PDF 137 KB)</p> <p>Sample form (non-ongoing fees – PDF 88 KB)</p> <p>FAQs</p>
REP 688 ASIC enforcement update July to December 2020	16/4/2021	<p>Provides an update on ASIC's enforcement work undertaken between 1 July and 31 December 2020, a period in which ASIC continued to take action to support its enforcement priorities and pursue a fair, strong and efficient financial system for all Australians</p>	<p>MR 21-074</p> <p>Podcast</p>

Title	Release Date	Details	Media release and related documents
REP 689 Response to submissions on CP 336 Financial requirements: Treatment of lease assets	29/4/2021	This report highlights the key issues that arose out of the submissions received on Consultation Paper 336 <i>Financial requirements: Treatment of lease assets</i> (CP 336) and details our responses to those issues.	MR 21-088 LI 20/299 SLI 21/230 RG 166 PF 209
REP 690 ASIC quarterly update: January to March 2021	6/5/2021	This report provides an update on ASIC's work undertaken between 1 January and 31 March 2021.	MR 21-095
REP 691 Regulator Performance Framework: ASIC self-assessment 2019–20	26/5/2021	The Regulator Performance Framework (Framework) provides a set of six common key performance indicators (KPIs) for Australian Government regulators. This report sets out ASIC's self-assessment of its performance against the KPIs in 2019–20.	No MR
REP 692 Response to submissions on CP 302 Proposed changes to ASIC's capital requirements for market participants	17/6/2021	This report highlights the key issues that arose out of the submissions received on Consultation Paper 302 <i>Proposed changes to ASIC's capital requirements for market participants</i> (CP 302) and details our responses to those issues.	MR 21-137 ASIC Market Integrity Rules (Capital) 2021

New rules

Title	Dates	Details	Media release and related documents
ASIC Market Integrity Rules (Capital) 2021	<i>Issued 16/6/2021</i> <i>Registered 16/6/2021: F2021L00750</i> <i>Effective 16/6/2021 (day after registration)</i>	Simplifies the capital framework for market participants by replacing separate rule books for securities market and futures market participants with a common set of rules for capital.	MR 21-137 REP 692

Class rule waivers and exemptions

Title	Dates	Details	Media release and related documents
ASIC Derivative Transaction Rules (ADI Foreign Subsidiaries) Class Exemption 2021/51	<p><i>Issued 11/2/2021</i></p> <p><i>Registered 11/2/2021: F2021L00114</i></p> <p><i>Effective 12/2/2021 (day after registration)</i></p>	<p><i>ASIC Derivative Transaction Rules (ADI Foreign Subsidiaries) Class Exemption 2021/51 provides exemptive relief for foreign subsidiaries of Australian Deposit-taking Institutions from reporting transactions under the ASIC Derivative Transaction Rules (Reporting) 2013 that do not have a nexus to Australia.</i></p>	No MR

Determinations

Title	Dates	Details	Media release and related documents
ASIC Market Integrity Rules (Securities Markets) Determination 2021/135	<p><i>Issued 2/3/2021</i></p> <p><i>Registered 3/3/2021: F2021L00193</i></p> <p><i>Effective 6/4/2021 (later of 6 April 2021 or 20 business days after day after registration)</i></p>	<p><i>ASIC Market Integrity Rules (Securities Markets) Determination 2021/135 maintains ASIC's policy of determining allocation of Tier 1 and Tier 2 Equity Market Products, replacing ASIC Market Integrity Rules (Securities Markets) Determination 2020/1102.</i></p>	<p>No MR</p> <p>SLI 21/136</p>
ASIC Market Integrity Rules (Securities Markets) Determination 2021/509	<p><i>Issued 8/6/2021</i></p> <p><i>Registered 9/6/2021: F2021L00721</i></p> <p><i>Effective 12/7/2021 (later of 12 July 2021 or 20 business days after day of registration)</i></p>	<p><i>ASIC Market Integrity Rules (Securities Markets) Determination 2021/509 maintains the ASIC's policy of determining allocation of Tier 1 and Tier 2 Equity Market Products, replacing ASIC Market Integrity Rules (Securities Markets) Determination 2021/135.</i></p>	SLI 21/517

Information sheets

Title	Status	Release Date	Comments	Media release and related documents
INFO 240 AFS licence applications: Providing information for fit and proper people and certain authorisations	Reissued	21/1/2020	Updated to include a new section on when we may accept alternative evidence that a fit and proper person is subject to another fit and proper requirement for some controllers and officers of controllers in lieu of criminal history checks, bankruptcy checks and statements of personal information.	No MR INFO 244
INFO 244 Credit licence applications: Providing information for fit and proper people	Reissued	21/1/2020	Updated to include a new section on when we may accept alternative evidence that a fit and proper person is subject to another fit and proper requirement for some controllers and officers of controllers in lieu of criminal history checks, bankruptcy checks and statements of personal information	No MR INFO 240
INFO 172 Cooperating with ASIC	Reissued	24/2/2021	Updated to account for the release of ASIC's new immunity policy.	MR 21-030 ASIC immunity policy FAQs Request for marker form
INFO 245 Board oversight of executive variable pay decisions	Reissued	15/3/2021	Content and title updated to reflect a broader context beyond that of the COVID-19 pandemic.	No MR
INFO 250 Giving AFS and credit licensees information about their representatives	Reissued	22/3/2021	Outlines ASIC's approach to giving AFS and credit licensees information about their representatives including: ASIC's powers and when ASIC may exercise them; the kind of information ASIC may give licensees; and ASIC's procedural fairness obligations and processes	News item
INFO 126 Credit representatives	Updated	22/3/2021	Cross-references to new INFO 250 added.	N/A
INFO 253 Claims handling and settling: How to comply with your AFS licence obligations	New	8/4/2021	Assists firms who provide insurance claims handling and settling services to prepare and submit their AFS licence applications as soon as possible after 1 January 2021, and by no later than 7 May 2021	MR 21-067

Title	Status	Release Date	Comments	Media release and related documents
INFO 254 Debt management services: Applying for a credit licence or variation	New	5/5/2021	Explains new regulatory obligations under the National Consumer Credit Protection Amendment (Debt Management Services) Regulations 2021 , made on 29 April 2021, for providers of debt management services, including the requirement to be licensed.	MR 21-094
INFO 253 Claims handling and settling: How to comply with your AFS licence obligations	Reissued	6/5/2021	Updated to reflect the Financial Sector Reform (Hayne Royal Commission Response) (Claimant Intermediaries) Regulations 2021 , made on 15 April 2021, which exclude certain people from being 'claimant intermediaries'.	No MR
INFO 1 Administrative hearings	Reissued	25/5/2021	Updated to correct guidance that is out of date.	No MR
INFO 255 Activist short selling campaigns in Australia	New	1/6/2021	<p>Outlines the practice of 'activist short selling' in Australia and ASIC's expectations to promote market integrity during these campaigns.</p> <p>INFO 255:</p> <ul style="list-style-type: none"> • briefly explains what activist short selling is • describes the impact of activist short selling on markets • provides an overview of the Australian regulatory framework relevant to these campaigns • recommends better practices for activist short sellers and authors of short reports, market operators, target entities and market participants, and • lists some of the actions that we may take in response to these campaigns. 	MR 21-118
INFO 256 FAQs: Ongoing fee arrangements	New	15/6/2021	Answers frequently asked questions (FAQs) about the obligations that apply to fee recipients who provide personal advice to retail clients under an ongoing fee arrangement.	MR 21-134 RG 175 (Withdrawn RG 245)

Title	Status	Release Date	Comments	Media release and related documents
INFO 256 FAQs: Ongoing fee arrangements	Reissued	29/6/2021	Updated to reflect new <i>Treasury Laws Amendment (Miscellaneous and Technical Amendments) Regulations 2021</i> which commence 1 July 2021.	MR 21-134 (editor's note) INFO 288 RG 182 RG 255
INFO 288 Limited AFS licensees: Advice conduct and disclosure obligations	Reissued	29/6/2021	Updated to reflect new <i>Treasury Laws Amendment (Miscellaneous and Technical Amendments) Regulations 2021</i> which commence 1 July 2021.	MR 21-134 (Editor's note) INFO 256 RG 182 RG 255

Other documents

Title	Dates	Details	Related documents
Letter to Insurance Council of Australia regarding no-action position (PDF 134 KB)	15/1/2021	ASIC has issued a no-action position in relation to breaches of certain provisions of the <i>Corporations Act 2001</i> and <i>Corporations Regulations 2001</i> .	News item
ASIC immunity policy	24/2/2020	This policy sets out information on applications for immunity from civil penalty or criminal proceedings for a contravention of a provision in Part 7.10 of the Corporations Act. It is for individuals who: <ul style="list-style-type: none"> think they may have contravened, with at least one other person, a provision in Part 7.10 of the Corporations Act wish to apply for immunity from civil penalty or criminal proceedings, and intend to cooperate with ASIC in relation to our investigation and any court proceedings regarding the contravention. 	MR 21-030 INFO 172 FAQs Request for marker form
2019–20 Cost Recovery Implementation Statement Annual dashboard report: 2019–20 (PDF 158 KB) Summary of 2019–20 actual levies (PDF 30 KB)	3/3/2021	Provides regulated entities with details of ASIC’s forecast regulatory costs and activities by industry and subsector in 2019–20, a summary of ASIC’s actual regulatory costs and a summary of actual levies in 2019–20	MR 20-035
Public notice—Product intervention order in relation to binary options (PDF 673 KB)	6/4/2021	Product intervention order banning the issue and distribution of binary options to retail clients. The ban will take effect from Monday 3 May 2021.	MR 21-060 MR 21-064 LI 21/240
Letter to directors of life insurance companies: ASIC’s expectations when responding to consumers in financial hardship (PDF 206 KB) Letter to directors of general insurance companies: ASIC’s expectations when responding to consumers in financial hardship (PDF 1.18 MB KB)	22/4/2021	ASIC has reviewed the responses of major life and general insurers to consumers experiencing financial hardship during the COVID-19 pandemic and announced it is generally pleased with insurers’ responsiveness to consumer needs during the pandemic, and to ASIC’s work in this area. ASIC’s review identified better practices and a number of areas where insurers could make improvements to support consumers experiencing hardship. ASIC has written to Australian life and general insurers about the improvements it expects them to make so that there are enduring supports in place to help consumers experiencing hardship.	News article
ASIC and APRA letter to trustees on oversight of advice fee deductions from	30/6/2021	ASIC and APRA have issued a joint letter outlining the regulators’ expectations of superannuation trustees in their oversight of financial advice fees charged to members’ accounts. The letter provides additional guidance informed by	None

member accounts		surveillances of trustees' oversight frameworks and practices, cases identified during the Financial Services Royal Commission, and new obligations introduced by the <i>Financial Sector Reform (Hayne Royal Commission Response No. 2) Act 2021</i> , which commences on 1 July 2021.	
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