

Attachment 3 to CS 45: Draft instrument



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Disregarding Technical Relief) Instrument 2026/XXX

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>

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Disregarding Technical Relief) Instrument 2026/XX*.

2 Commencement

This instrument commences on the later of:

- (a) the day after it is registered on the Federal Register of Legislation; and
- (b) 1 April 2026.

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

3 Authority

This instrument is made under sections 741 and 1020F 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its term.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 allows entities to disregard certain technical relief granted by ASIC which would otherwise prevent them from relying on certain disclosure concessions under Chapter 6D and Part 7.9 of the Act.

6 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

regulated person, in relation to a financial product, has the meaning given by section 1011B of the Act.

Part 2—Declaration

7 Disregarding technical relief instruments for certain purposes under Chapter 6D and Part 7.9 of the Act

Chapter 6D of the Act applies to all persons, and Part 7.9 of the Act applies in relation to regulated persons in relation to financial products, as if the following provisions were modified or varied:

- (a) in section 9, insert the following definition:

technical relief instrument means any of the following:

- (a) *ASIC Corporations (Stapled Group Reports) Instrument 2015/838* (as in force at any time before its repeal);
- (b) *ASIC Corporations (Related Scheme Reports) Instrument 2015/839* (as in force at any time before its repeal);
- (c) *ASIC Corporations (Post Balance Date Reporting) Instrument 2015/842* (as in force at any time before its repeal);
- (d) *ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73* (as in force at any time before its repeal);
- (e) *ASIC Corporations (Sale Offers: Securities Issued on Conversion of Convertible Notes) Instrument 2016/82* (as in force at any time before its repeal);
- (f) *ASIC Corporations (Electronic Lodgment of Financial and Sustainability Reports) Instrument 2016/181* (as in force at any time before its repeal);
- (g) *ASIC Corporations (Uncontactable Members) Instrument 2016/187*;
- (h) *ASIC Corporations (Directors' Report Relief) Instrument 2016/188*;
- (i) *ASIC Corporations (Rounding in Financial/Directors' Reports) Instrument 2016/191* (as in force at any time before its repeal);
- (j) *ASIC Corporations (Wholly-owned Companies) Instrument 2016/785*;
- (k) *ASIC Corporations (Share and Interest Purchase Plans) Instrument 2019/547*;
- (l) *ASIC Corporations (Parent Entity Financial Statements) Instrument 2021/195*;

- (m) *ASIC Corporations (Reporting by Stapled Entities) Instrument 2023/673;*
- (n) *ASIC Corporations (Post Balance Date Reporting) Instrument 2025/437;*
- (o) *ASIC Corporations (Related Scheme Reports) Instrument 2025/438;*
- (p) *ASIC Corporations (Stapled Group Reports) Instrument 2025/439;*
- (q) *ASIC Corporations (Disregarding Technical Relief) Instrument 2026/XX;*
- (r) *ASIC Corporations (Electronic Lodgment of Financial and Sustainability Reports) Instrument 2026/XX;*
- (s) *ASIC Corporations (Rounding in Financial/Directors' Reports) Instrument 2026/XX;*
- (t) *ASIC Corporations (Sale Offers: Securities Issued on Conversion of Convertible Notes) Instrument 2026/XX;*
- (u) an order under section 340 to the extent it relieves a company, registered scheme or disclosing entity, or any person as director or auditor of the company, scheme or entity, from the requirements of subsection 323D(3).

Note: In this definition, unless a contrary intention applies, a reference to an instrument is taken to be a reference to the instrument as in force from time to time.”;

- (b) in section 9, in the definition of ***continuously quoted securities***, at the beginning of both subparagraphs (b)(ii) and (iii), insert “other than a technical relief instrument.”;
- (c) in paragraphs 708AA(2)(e), 708A(5)(d), 1012DAA(2)(e) and 1012DA(5)(d), at the beginning of each respective paragraph, insert “other than a technical relief instrument.”.

Part 3—Repeal

8 Repeal

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

Schedule 1—Repeals

ASIC Corporations (Disregarding Technical Relief) Instrument 2016/73

1 The whole of the instrument

Repeal the instrument.