

## Attachment 5 to CS 25: Draft instrument



**ASIC**  
Australian Securities &  
Investments Commission

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### **ASIC Corporations (Foreign Securities— Publishing Notices) Instrument 2025/XX**

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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 (Foreign Securities—Publishing Notices) Instrument 2025/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](http://www.legislation.gov.au).

### **3      Authority**

This instrument is made under subsection 741(1) of the *Corporations Act 2001*.

### **4      Definitions**

In this instrument:

*Act* means the *Corporations Act 2001*.

## Part 2—Declaration

### 5 Publication relief for notices or reports of foreign companies

Chapter 6D of the Act applies to all persons as if section 734 were modified or varied as follows:

(a) omit subsection (2A), substitute:

“(2A) Subsection (2) does not apply if the advertisement or publication is authorised by subsection (4), (5), (6), (7) or (7A).”;

(b) after subsection (7) insert:

“(7A) An advertisement or publication does not contravene subsection (2) if it:

- (a) relates to an offer of securities of a body that is listed on an approved foreign market and consists of a notice or report by the body, or one of its officers, about its affairs to the relevant market operator; or
- (b) consists solely of a notice or report of a general meeting of the body.

Note: The definition of **approved foreign market** is notionally inserted into section 9 of this Act by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.”.

## Part 3—Repeal

### 6 Repeal

This instrument is repealed at the start of 1 October 2030.