

## Attachment 6 to CS 36: Draft instrument



**ASIC**  
Australian Securities &  
Investments Commission

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### **ASIC Corporations (Substituted Supplementary Disclosure Documents) Instrument 2026/<Number>**

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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 (Substituted Supplementary Disclosure Documents) 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](http://www.legislation.gov.au).

### 3    Authority

This instrument is made under subsection 741(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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 modifies Chapter 6D of the Act to enable an issuer of securities to provide the original disclosure document and the most recent supplementary document to investors rather than being required to provide the original disclosure document and every supplementary document.

The most recent supplementary document must disclose all of the substantive information contained in any previous supplementary documents.

### 6    Definitions

In this instrument:

*Act* means the *Corporations Act 2001*.

## Part 2—Declaration

### 7 Substituted supplementary disclosure documents

Chapter 6D of the Act applies to all persons as if section 719 were modified or varied as follows:

- (a) omit paragraph (2)(d), substitute:
  - “(d) if the supplementary document (***substituted supplementary document***) lodged with ASIC contains all the substantive information in all previous supplementary documents lodged with ASIC in relation to the offer except to the extent the substituted supplementary document corrects deficiencies in or updates that information or provides additional information—a statement that it is issued in substitution for the previous supplementary documents and it is to be read together with the disclosure document it supplements; and
  - (e) if paragraph (d) does not apply—a statement that it is to be read together with the disclosure document it supplements and any previous supplementary documents.”;
- (b) omit subsection (4) (not including the heading and the note), substitute:
  - “(4) If:
    - (a) a supplementary document is lodged with ASIC, the disclosure document is taken to be the disclosure document together with the supplementary document for the purposes of the application of this Chapter to events that occur after the lodgement of the supplementary document; and
    - (b) a substituted supplementary document is lodged with ASIC, the disclosure document is taken to be the disclosure document together with the substituted supplementary document (and not the previous supplementary documents that have been substituted by it) for the purposes of the application of this Chapter to events that occur after the lodgement of the substituted supplementary document.”.

## **Part 3—Repeal**

### **8 Repeal**

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

## **Schedule 1—Repeals**

### ***ASIC Corporations (Substituted Supplementary Disclosure Documents) Instrument 2016/78***

#### **1 The whole of the instrument**

Repeal the instrument.