

# Attachment 3 to CS 57: Draft instrument



**ASIC**  
Australian Securities &  
Investments Commission

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## **ASIC (Records: Dealings on Foreign Markets) Instrument 2026/XX**

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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 (Records: Dealings on Foreign Markets) Instrument 2026/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 992B(1) of the *Corporations Act 2001*.

### 4 Simplified outline of this instrument

Regulation 7.8.19 of the Regulations requires a financial services licensee to keep records of instructions it receives to deal in financial products through financial markets.

This instrument exempts a financial services licensee from complying with the record keeping requirements for an instruction that is given by an offshore wholesale client and that relates to a dealing through a financial market that is not operated in this jurisdiction.

### 5 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

### 6 Definitions

In this instrument:

**Regulations** means the *Corporations Regulations 2001*.

## **Part 2—Exemption**

### **7 Records of instructions to deal on foreign markets**

A financial services licensee does not have to comply with regulation 7.8.19 of the Regulations in relation to an instruction to deal in financial products received by the licensee to which both of the following apply:

- (a) the instruction is from or on behalf of a wholesale client who is not in this jurisdiction;
- (b) the instruction is for a dealing through a financial market that is not operated in this jurisdiction.

## **Part 3—Repeal**

### **8 Repeal**

This instrument is repealed at the start of 1 October 2031.

## **Schedule 1—Repeals**

*ASIC Corporations (Records: Dealings on Foreign Markets) Instrument 2016/889*

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

Repeal the instrument.