



## **Corporations (TriOptima AB) Exemption Notice Variation 2021 (No. 1)**

*Corporations Act 2001*

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I, Nathan Bourne, Senior Executive Leader, Australian Securities and Investments Commission make this notice under section 791C of the *Corporations Act 2001* (the **Act**).

Dated .....22<sup>nd</sup> December 2021

A handwritten signature in black ink, appearing to be 'Nathan Bourne', written over a horizontal line.

Signed .....

as a delegate of the Minister under s1101J of the Act

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### **1. Name of notice**

This notice is the *Corporations (TriOptima AB) Exemption Notice Variation 2021 (No. 1)*.

### **2. Commencement**

This notice commences on the day it is published in the *Gazette*.

### **3. Variation**

The *Corporations (TriOptima AB) Exemption Notice 2012* (as varied by the *Corporations (TriOptima AB) Exemption Notice Variation 2016 (No.1)*) is varied as described in the Schedule.

## Schedule                      Variation

(Section 3)

- [1]        **Subsection 4(a) – *Financial products***  
             *Omit the words “(by variance, termination or replacement)”.*
- [2]        **Subsection 4(c)(i) – *Trading on the market: participant***  
             *Omit the words “(by variance, termination or replacement)”.*
- [3]        **Subsection 4(c)(ii) – *Trading on the market: participant***  
             *Omit the words “(by variance, termination or replacement)”.*
- [4]        **Subsection 5(c) – *Resources***  
             *Repeal this subsection.*
- [5]        **Subsection 5(f) – *Reporting: disciplinary action against participant***  
             *Repeal this subsection.*
- [6]        **Subsection 5(g) - *Reporting: suspected contraventions by participant***  
             *Repeal this subsection.*
- [7]        **Subsection 5(i) and (j) – *Record-keeping***  
             *Omit “unwind proposals”, substitute “post trade risk reduction service proposals”.*
- [8]        **Subsection 5(k) – *Annual report***  
             *Repeal this subsection, substitute*  
             *Reporting*
- (k) TriOptima AB must give to ASIC, in a machine-readable format, at least the following information in relation to portfolio compression within 30 days after the end of each reporting period:
- (i) the following information in relation to Australian participants:
- (A) a list of derivatives submitted to TriOptima AB for inclusion in the portfolio compression;
- (B) a list of derivatives replacing the terminated derivatives;

(C) a list of derivatives changed or terminated as a result of the portfolio compression;

(D) the number of derivatives subject to portfolio compression and their value expressed in terms of notional amount.

(ii) the information referred to in condition 5(k)(i) shall be disaggregated per type of derivative and per currency.

**[9] Subsection 5(l) – Audit report**

*Repeal this subsection.*

**[10] Section 6 – Reporting: operating status of market**

*Repeal this section.*

**[11] Section 7 – definition of ‘eligible financial product’, paragraph (b)**

*Omit “; or”, substitute “;”*

**[12] Section 7 – definition of ‘eligible financial product’, paragraph (c)**

*Omit “.”, substitute “;”*

**[13] Section 7 – definition of ‘eligible financial product’, after paragraph (c)**

*Insert:*

- (d) equity derivatives;
- (e) commodity derivatives;
- (f) financial products mentioned in paragraph 764A(1)(ba) of the Act that are money market products;
- (g) rights that include an undertaking by a body to repay as a debt money deposited with or lent to the body that are term deposits and certificates of deposit; and
- (h) tri-party repurchase agreements.

**[15] Subsection 7(b) – Interpretation**

*Insert:*

**reporting period** means each period of 3 months, or part thereof, during which the exempt market is operated in Australia, ending on 31 March, 30 June, 30 September, or 31 December.

**[16] Subsection 7(b) – definition of ‘*application for exemption*’**

After “16 October 2012”, insert “and 29 September 2021”.