ASIC Corporations (Amendment) Instrument 2026/XX

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 (Amendment) 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.

3 Authority

This instrument is made under subsections 601QA(1), 655A(1), 673(1), 741(1), 926A(2), 951B(1), 1020F(1), 1075A(1) and 1243(2) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

Schedule 1—Amendments

ASIC Corporations (ASX-listed Schemes On-market Buy-backs) Instrument 2016/1159

1 Section 1

Omit "*ASX-listed*", substitute "*Listed*".

2 Section 5 (notional section 601KF of the Act)

Omit "the financial market of ASX Limited (***ASX***)", substitute "a declared financial market)".

3 Section 5 (notional subparagraph 601KH(3)(a)(i) of the Act)

Omit "the financial market of ASX", substitute "a declared financial market".

4 Section 5 (notional paragraph 601KH(3)(b) of the Act)

Omit "the ASX", substitute "the declared financial market".

5 Section 5 (notional subparagraph 601KH(3)(b)(i) of the Act)

Omit "financial market of ASX", substitute "declared financial market".

6 Section 5 (the note to notional paragraph 601KH(3)(b) of the Act)

Repeal the note.

7 Section 5 (notional subsection 601KH(5) of the Act)

Omit "ASX", substitute "the operator of the declared financial market".

8 Section 5 (the note to notional paragraph 601KH(6)(b) of the Act)

Omit "ASX", substitute "the operator of the declared financial market".

9 Section 5 (notional subsection 601KH(7) of the Act)

Omit "ASX" (wherever occurring), substitute "the operator of the declared financial market".

ASIC Corporations (Chapter 5C—Miscellaneous Provisions) Instrument 2017/125

10 Section 5 (notional paragraph 601GA(5)(a) of the Act)

Omit "an eligible Australian market", substitute "a declared financial market".

11 Section 5 (notional paragraph 601GA(5)(b) of the Act)

Omit "eligible Australian market", substitute "declared financial market".

12 Section 5 (the definition of *eligible Australian market* in notional subsection 601GA(6) of the Act)

Repeal the definition.

13 Section 5 (the definition of *listing rule consistency provision* in notional subsection 601GA(6) of the Act)

Omit "an eligible Australian market", substitute "a declared financial market".

14 Section 8 (after the heading to notional subsection 1223J of the Act)

Omit the quotation mark.

15 Section 8 (notional paragraph 1223J(1)(a) of the Act)

Omit "an eligible Australian market", substitute "a declared financial market".

16 Section 8 (notional paragraph 1223J(1)(b) of the Act)

Omit "eligible Australian market", substitute "declared financial market".

17 Section 8 (the definition of *eligible Australian market* in notional subsection 1223J(2) of the Act)

Repeal the definition.

18 Section 8 (the definition of *listing rule consistency provision* in notional subsection 1223J(2) of the Act)

Omit "an eligible Australian market", substitute "a declared financial market".

ASIC Corporations (Financial Requirements for Responsible Entities, IDPS Operators and Corporate Directors of Retail CCIVs) Instrument 2023/647

19 Section 5 (subparagraph (a)(ii) of the definition of *market participant* in notional subsection 912AA(11) of the Act)

Omit "Cboe Australia Pty Limited ACN 129 584 664", substitute "TMX Australia Exchange Pty Limited ACN 129 584 667".

ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648

20 Section 5 (subparagraph (a)(ii) of the definition of *market participant* in notional subsection 912AC(12) of the Act)

Omit "Cboe Australia Pty Limited ACN 129 584 664", substitute "TMX Australia Exchange Pty Limited ACN 129 584 667".

ASIC Corporations (Warrants: Relevant Interests and Associations) Instrument 2023/687

21 Section 5 (paragraph (c) of the definition of *call warrant* in notional subsection 609(6F) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

22 Section 5 (paragraph (c) of the definition of *put warrant* in notional subsection 609(6F) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

ASIC Corporations (Discretions for Setting the Issue Price and Withdrawal Price of Interests in Managed Investment Schemes) Instrument 2023/693

23 Paragraph 5(b) (notional subsection 601GAD(2) of the Act)

Omit "the financial market operated by ASX" (wherever occurring), substitute "a declared financial market".

24 Paragraph 5(b) (notional paragraph 601GAD(9)(a) of the Act)

Omit "the financial market operated by ASX", substitute "a declared financial market".

25 Paragraph 5(b) (the definition of *ASX* in notional subsection 601GAD(10) of the Act)

Repeal the definition.

26 Paragraph 5(b) (notional subparagraph 601GAE(2)(a)(ii) of the Act)

Omit "financial market operated by ASX or Cboe,", substitute "declared financial market;".

27 Paragraph 5(b) (the definition of *ASX* in notional subsection 601GAE(4) of the Act)

Repeal the definition.

28 Paragraph 5(b) (the definition of *Cboe* in notional subsection 601GAE(4) of the Act)

Repeal the definition.

29 Paragraph 5(b) (paragraph (a) of the definition of *exchange traded fund* in notional subsection 601GAE(4) of the Act)

Omit "financial market operated by ASX or Cboe but the scheme is not listed on either of those markets", substitute "declared financial market but the scheme is not listed on any declared financial market".

ASIC Corporations (Equality of Treatment Impacting on the Acquisition of Scheme Interests and CCIV Shares) Instrument 2023/697

30 Section 4

Insert:

TMX means TMX Australia Exchange Pty Limited ACN 129 584 667.

31 Subparagraph 5(a)(i)

Omit "ASX Limited as at 1 December 2019", substitute "the financial market operated by ASX Limited as at 1 November 2026".

32 After subparagraph 5(a)(i)

Insert:

(ia) where the scheme is included in the official list of the financial market operated by TMX and the offer is one to which Rule 7.6 of the listing rules of the financial market operated by TMX as at 3 August 2026 applies—complies with the requirements of that rule that are applicable to the relevant offer and issue of interests; or

33 Subparagraph 5(a)(ii)

Omit "the financial market operated by ASX Limited", substitute "either the financial market operated by ASX Limited or the financial market operated by TMX".

34 Subparagraph 6(a)(i)

Omit "the financial market operated by ASX Limited", substitute "either the financial market operated by ASX Limited or the financial market operated by TMX".

ASIC Corporations (Periodic Statement Relief for Quoted Securities) Instrument 2024/14

35 Section 4 (definition of *Cboe*)

Repeal the definition.

36 Section 4 (paragraph (a) of the definition of *ETF*)

Omit "Cboe", substitute "TMX".

37 Section 4

Insert:

TMX means TMX Australia Exchange Pty Limited.

ASIC Corporations (Relief to Facilitate Admission of Exchange Traded Funds) Instrument 2024/147

38 Section 4 (the definition of *Cboe*)

Repeal the definition.

39 Section 4 (paragraph (a) of the definition of *ETF*)

Omit "Cboe", substitute "TMX".

40 Section 4

Insert:

TMX means TMX Australia Exchange Pty Limited ACN 129 584 667.

41 Paragraph 5(2)(a)

Omit "Cboe" (wherever occurring), substitute "TMX".

42 Subsection 6(2)

Omit "Cboe", substitute "TMX".

43 Section 8 (paragraph (a) of the definition of *acquisition and withdrawal facility* in notional subsection 609(10F) of the Act)

Omit "Cboe", substitute "TMX".

44 Section 8 (definition of *Cboe* in notional subsection 609(10F) of the Act)

Repeal the definition.

45 Section 8 (notional subsection 609(10F) of the Act)

In the appropriate position, insert:

TMX means TMX Australia Exchange Pty Limited ACN 129 584 667.

ASIC Corporations (Offers of CHESS Depository Interests) Instrument 2025/180

46 Section 4 (paragraph (b) of the definition of *approved financial market*)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

47 Section 6 (paragraph (b) of the definition of *approved financial market* in notional subsection 700(1A) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

ASIC Corporations (Electronic Disclosure) Instrument 2025/447

48 Section 5 (definition of *Cboe*)

Repeal the definition.

49 Section 5

Insert:

TMX means TMX Australia Exchange Pty Limited ACN 129 584 667.

50 Subsection 7(1) (paragraph (a) of the definition of *ETF* in notional section 9 of the Act)

Omit "Cboe", substitute "TMX".

51 Subsection 7(1) (sub-subparagraph (b)(iii)(A) of the definition of *nominated electronic means* in notional section 9 of the Act)

Omit "Cboe", substitute "TMX".

ASIC Corporations (Managed Investment Product Consideration) Instrument 2025/629

52 Paragraph 6(b) (notional paragraph 601GAA(2)(a) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

53 Paragraph 6(b) (notional paragraph 601GAA(3)(g) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

54 Paragraph 6(b) (notional paragraph 601GAA(8)(a) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

55 Paragraph 6(b) (notional paragraph 601GAA(10)(a) of the Act)

Omit "1 September 2025", substitute "1 November 2026".

56 Paragraph 6(b) (after notional paragraph 601GAA(10)(a) of the Act)

Insert:

(aa) where the scheme is included in the official list of the financial market operated by TMX Australia Exchange Pty Limited—complies with the requirements of Rule 7.6 of the listing rules of the financial market operated by TMX Australia Exchange Pty Limited as at 3 August 2026 concerning the treatment of members with a registered address outside Australia and New Zealand that are applicable to the relevant offer and issue of interests; or

57 Paragraph 6(b) (notional paragraph 601GAA(10)(b) of the Act)

Omit "the financial market operated by ASX Limited", substitute "either the financial market operated by ASX Limited or the financial market operated by TMX Australia Exchange Pty Limited".

58 Paragraph 6(b) (notional sub-subparagraph 601GAA(12)(b)(ii)(A) of the Act)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

59 Paragraph 6(b) (notional sub-subparagraph 601GAB(2)(a)(ii)(B) of the Act)

Omit "Cboe Australia Pty Ltd" (wherever occurring), substitute "TMX Australia Exchange Pty Limited".

ASIC Corporations (Division 3 Securities and Division 4 Financial Products) Instrument 2026/32

60 Paragraph 5(d)

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".

61 Section 6 (definition of *Cboe*)

Repeal the definition.

62 Section 6 (definition of *eligible products*)

Omit "Cboe" (wherever occurring), substitute "TMX".

63 Section 6 (paragraph (c) of the definition of *transferable custody receipts*)

Omit "Cboe", substitute "TMX".

64 Section 6

Insert:

TMX means TMX Australia Exchange Pty Limited.

65 Subsection 7(1) (notional section 1074AA of the Act)

Omit "Cboe Australia Pty Ltd" (wherever occurring), substitute "TMX Australia Exchange Pty Limited".

66 Paragraph 7(2)(b)

Omit "Cboe", substitute "TMX".

67 Section 8

Omit "Cboe Australia Pty Ltd", substitute "TMX Australia Exchange Pty Limited".