

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 911A(2)(l) — Variation**

**Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(l) of the *Corporations Act 2001*.

**Title**

2. This instrument is ASIC Class Order [CO 10/737].

**Commencement**

3. This instrument commences on the later of:
  - (a) the date it is registered under the *Legislative Instruments Act 2003*; and
  - (b) the date of its gazettal.

Note: An instrument is registered when it is recorded on the Federal Register of Legislative Instruments (*FRLI*) in electronic form: see *Legislative Instruments Act 2003*, s 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

**Variations**

*ASIC Class Order [CO 03/1099]*

4. ASIC Class Order [CO 03/1099] is varied by, in paragraph 1 of Schedule B:
  - (a) in subparagraph (i) omitting “or”;
  - (b) after subparagraph (i), inserting the following subparagraph:

“(ia) managed investment products; or”.

*ASIC Class Order [CO 03/1100]*

5. ASIC Class Order [CO 03/1100] is varied by:
  - (a) in paragraph (a) of Schedule A:
    - (i) in subparagraph (i):
      - (A) omitting “that:” and substituting “that is a member of FINRA and FINRA is the body’s examining authority; or”;
      - (B) omitting sub-subparagraphs (A) and (B);

- (ii) in subparagraph (ii) omitting “the NYSE or NASD;” and substituting “FINRA;”;
- (b) in paragraph 1 of Schedule B:
  - (i) in subparagraph (h) omitting “or”;
  - (ii) after subparagraph (h) inserting the following subparagraph:
    - “(ha) managed investment products; or”;
- (c) under the heading “**Interpretation**”:
  - (i) after the definition of *financial services law*, inserting the following definition:
    - “*FINRA* means the Financial Industry Regulation Authority;”;
  - (ii) omitting the definitions of *NASD* and *NYSE*;
  - (iii) in the definition of *registered investment adviser* after “body corporate”, inserting “or a partnership formed in the US or a State of the US”;
  - (iv) omitting the definition of *US regulatory requirements*, substitute:
    - “*US regulatory requirements* means the rules that apply in relation to the financial services including:
      - (a) any applicable legislation, instruments made under that legislation and any relevant policies or other documents (however described) issued by the SEC; and
      - (b) if the body is covered by subparagraph (a)(i) of Schedule A but not subparagraphs (a)(ii) or (iii) of that Schedule—any applicable rules, policies or other documents (however described) of FINRA; and”.

*ASIC Class Order [CO 03/1103]*

- 6. ASIC Class Order [CO 03/1103] is varied by, in paragraph 1 of Schedule B:
  - (a) in subparagraph (g) omitting “or”;
  - (b) after subparagraph (g), inserting the following subparagraph:
    - “(ga) managed investment products; or”.

*ASIC Class Order [CO 04/829]*

7. ASIC Class Order [CO 04/829] is varied by, in paragraph 1 of Schedule B:
  - (a) in subparagraph (f) omitting “or”;
  - (b) after subparagraph (f), inserting the following subparagraph:

“(fa) managed investment products; or”.

Dated this 31st day of August 2010

Signed by Stephen Yen PSM  
as a delegate of the Australian Securities and Investments Commission