

**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 12/1266].

**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*, section 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 Schedule C, omitting sub-paragraph 2(a)(iv) and substituting:
  - “(iv) each action or investigation of the following kinds taken by the FSA or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:
    - (A) significant enforcement action;
    - (B) significant disciplinary action;
    - (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and”;

*ASIC Class Order [CO 03/1100]*

5. ASIC Class Order [CO 03/1100] is varied by, in Schedule C, omitting sub-paragraph 2(a)(iv) and substituting:

“(iv) each action or investigation of the following kinds taken by the SEC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:

- (A) significant enforcement action;
- (B) significant disciplinary action;
- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and”;

*ASIC Class Order [CO 03/1101]*

6. ASIC Class Order [CO 03/1101] is varied by, in Schedule C, omitting subparagraph 2(a)(ii) and substituting:

“(ii) each action or investigation of the following kinds taken by the Federal Reserve, the OCC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:

- (A) significant enforcement action;
- (B) significant disciplinary action;
- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and”;

*ASIC Class Order [CO 03/1102]*

7. ASIC Class Order [CO 03/1102] is varied by, in Schedule C, omitting subparagraph 2(a)(iv) and substituting:

“(iv) each action or investigation of the following kinds taken by MAS or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:

- (A) significant enforcement action;
- (B) significant disciplinary action;
- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is

prohibited by law from giving such notification but only to the extent of the prohibition); and”;

*ASIC Class Order [CO 03/1103]*

8. ASIC Class Order [CO 03/1103] is varied by, in Schedule C, omitting sub-paragraph 2(a)(iv) and substituting:

“(iv) each action or investigation of the following kinds taken by the SFC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:

- (A) significant enforcement action;
- (B) significant disciplinary action;
- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and”;

*ASIC Class Order [CO 04/829]*

9. ASIC Class Order [CO 04/829] is varied by, in Schedule C, omitting sub-paragraph 2(a)(iv) and substituting:

“(iv) each action or investigation of the following kinds taken by the CFTC or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:

- (A) significant enforcement action;
- (B) significant disciplinary action;
- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and”;

*ASIC Class Order [CO 04/1313]*

10. ASIC Class Order [CO 04/1313] is varied by, in Schedule C, omitting sub-paragraph 2(a)(iv) and substituting:

“(iv) each action or investigation of the following kinds taken by BaFin or other overseas regulatory authority against the body in a foreign jurisdiction in relation to financial services provided in the foreign jurisdiction:

- (A) significant enforcement action;
- (B) significant disciplinary action;
- (C) significant investigation (unless, after having taken reasonable steps to enable notification to be given to ASIC, the body is prohibited by law from giving such notification but only to the extent of the prohibition); and”.

Dated this 20th day of September 2012

Signed by Grant Moodie  
as a delegate of the Australian Securities and Investments Commission