

**Australian Securities and Investments Commission
National Credit Code – Subsection 6(17) – Exclusion**

Enabling legislation

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 6(17) of the National Credit Code (the *Code*).

Note: The Code is found in Schedule 1 to the *National Consumer Credit Protection Act 2009*.

Title

2. This instrument is ASIC Class Order [CO 13/18].

Commencement

3. This instrument commences on the day it is registered under the *Legislative Instruments Act 2003*.

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/>.

Exclusion

4. ASIC excludes from the application of the Code a provision of credit constituted by:
 - (a) an arrangement (a *litigation funding arrangement*) for participating in, conducting and funding legal proceedings brought by or on behalf of a person or persons; or
 - (b) an arrangement (a *proof of debt funding arrangement*) for proving claims made by a person or persons under Division 6 of Part 5.6 of the *Corporations Act 2001* (including funding of the preparation and lodgment of the proofs).
5. This instrument has effect until 12 July 2013.

Dated this 9th day of January 2013

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