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

**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 13/1026].

**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/>.

**Amendments**

4. ASIC Class Order [CO 03/1099] is amended as follows:

(a) in **Schedule A** omit subparagraph (a), substitute:

“(a) the body has a current Part 4A Permission;”;

(b) in **Schedule B**:

(i) omit subparagraph 2(a), substitute:

“(a) a copy of the Part 4A Permission;”;

(ii) in sub-subparagraph 2(c)(v) and subparagraph 2(d), omit all references to “FCA”, substitute “appropriate regulator”;

(c) in **Schedule C**:

(i) in sub-subparagraph 2(a)(i) omit “Part IV Permission”, substitute “Part 4A Permission”;

(ii) in sub-subparagraph 2(a)(iv) omit “FCA or other overseas regulatory authority”, substitute “FCA, PRA or other overseas regulatory authority”;

(iii) omit sub-subparagraph 2(b)(ii), substitute:

“(ii) as applicable:

(A) for a dual-regulated body—the body is authorised by the PRA and regulated by the FCA and PRA under UK laws, which differ from Australian laws;

(B) otherwise—the body is authorised and regulated by the FCA under UK laws, which differ from Australian laws; and”;

(d) in the **Interpretation**:

(i) in the definition of ***overseas regulatory authority*** omit “(other than the FCA)”, substitute “(other than the FCA or PRA)”;

(ii) omit the definition of ***Part IV Permission***;

(iii) in the definition of ***UK regulatory requirements*** omit “the FCA;”, substitute “the FCA or PRA;”;

(iv) insert the following definitions in alphabetical order:

“***appropriate regulator*** means:

(a) for a dual-regulated body—both the PRA and the FCA;

(b) otherwise—the FCA.

***dual-regulated body*** means a body whose regulated activities in the United Kingdom include a PRA-regulated activity within section 22A of the FSM Act.

***Part 4A Permission*** means a permission given under Part 4A of FSM Act or having effect as if so given under that Part.

***PRA*** means the Prudential Regulation Authority of the United Kingdom.”.

**Transitional**

5. Until 31 March 2014, the amendments made by sub-subparagraph 4(b)(ii) of this class order do not apply to a dual-regulated body that was relying on ASIC Class Order [CO 03/1099] as at the commencement of this class order.

**Interpretation**

6. In this instrument:

***dual–regulated body*** means a body whose regulated activities in the United Kingdom include a PRA-regulated activity within section 22A of the *Financial Services and Markets Act 2000* of the United Kingdom.

Dated this 15th day of August 2013

Signed by Grant Moodie

as a delegate of the Australian Securities and Investments Commission