

Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 1020F(1) — Exemption and Declaration

Enabling legislation

1. The Australian Securities and Investments Commission makes this instrument under subsection 1020F(1) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Class Order [CO 14/443].

Commencement

3. This instrument commences on the date 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*, section 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

Exemption

Deferral of obligation of trustees to make product dashboards for choice products publicly available

4. A trustee of a regulated superannuation fund that has 5 or more members does not have to comply with subsection 1017BA(1) of the Act in relation to choice products until 1 July 2015.

Deferral of obligations of trustees to make information relating to investment of assets publicly available

5. A trustee of a registrable superannuation entity (other than a pooled superannuation trust) does not have to comply with subsection 1017BB(1) of the Act in relation to a reporting day occurring before 1 July 2015.

Deferral of obligations of second parties to provide information relating to investment of assets

6. A second party does not have to comply with subsection 1017BC(3) of the Act in relation to a reporting day occurring before 1 July 2015.

Declaration

Deferral of obligations of first parties and agents to give notice relating to investment of assets

7. Part 7.9 of Chapter 7 of the Act applies in relation to a Division 3 first party and an agent as if that Part were modified or varied as follows:
 - (a) in subsection 1017BC(2), omit “at the time the arrangement is entered into”, substitute “on or before 1 July 2015”;
 - (b) in subsections 1017BD(2) and 1017BE(2), omit “at the time the core arrangement is entered into”, substitute “on or before 1 July 2015”.

8. The declaration in paragraph 7 applies in relation to an arrangement entered into between commencement of this instrument and 30 June 2015 (inclusive).

Interpretation

9. In this instrument:

agent has the same meaning as in subsection 1017BC(4) of the Act.

arrangement means an arrangement to which section 1017BC, 1017BD or 1017BE of the Act applies.

choice product has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

Division 3 first party means a person who is a **first party** for the purposes of section 1017BC, 1017BD or 1017BE of the Act.

registrable superannuation entity has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

reporting day has the same meaning as subsection 1017BB(6) of the Act.

regulated superannuation fund has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

second party has the same meaning as in subsection 1017BC(1) of the Act.

Dated this 16th day of May 2014

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