

**Australian Securities and Investments Commission**  
**Superannuation Industry (Supervision) Act 1993—Subsection 332(1)—Amendment**

**Enabling legislation**

1. The Australian Securities and Investments Commission makes this instrument under subsection 332(1) of the *Superannuation Industry (Supervision) Act 1993* (the *Act*).

**Title**

2. This instrument is ASIC Class Order [CO 14/592].

**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/>.

**Amendment**

4. ASIC Class Order [CO 14/509] is amended by:

- (a) in paragraph 4:

- (i) in notional sub-subparagraph 29QB(1A)(b)(viii)(B) of the Act, after “financial year”, inserting “(as defined in subregulation 2.37(6) of the Regulations)”; and
- (ii) in notional subparagraph 29QB(1A)(b)(ix) of the Act, after “financial year”, inserting “of the RSE licensee”; and
- (iii) omitting notional subsection 29QB(1B), substituting:

“(1B) In subsection (1A), a reference to:

- (a) a document includes a reference to a redacted version of the document that the Regulations permit the RSE licensee to make available and update; and
- (b) a document being amended or updated includes a reference to the document being replaced.”; and

- (b) in paragraph 6, omitting notional subregulation 2.38(5) of the *Superannuation Industry (Supervision) Regulations 1994* and substituting:

“(4A) Despite subregulation (2):

- (a) until 1 July 2015, the RSE licensee:
  - (i) does not need to make available or update a document referred to in any of paragraphs (2)(a), (b), (d), (e), (f) and (h) if the document only relates to the registrable superannuation entity because it relates to a standard employer-sponsored sub-plan; and
  - (ii) instead of making available and updating a document referred to in any of paragraphs (2)(a), (b), (d), (e), (f) and (h), may make available and update

a version of the document that has been redacted to exclude information that:

- (A) only relates to the registrable superannuation entity because it relates to a standard employer-sponsored sub-plan; or
  - (B) is personal information in relation to a beneficiary or former beneficiary of the registrable superannuation entity; and
- (b) from 1 July 2015, instead of making available and updating a document referred to in any of paragraphs (2)(a), (b), (d), (e), (f) and (h), the RSE licensee may make available and update a version of the document that has been redacted to exclude information that is personal information in relation to a beneficiary or former beneficiary of the registrable superannuation entity.
- (5) In this regulation:

***financial year*** means:

- (a) in paragraphs (2)(f) and (o), the financial year of the registrable superannuation entity; and
- (b) in paragraph (2)(k) and subregulation (3), the financial year of the RSE licensee.

***personal information*** has the same meaning as in subsection 6(1) of the *Privacy Act 1988*.

***standard employer-sponsored sub-plan*** means a segment of a public offer superannuation fund for which each member of the segment is:

- (a) a standard employer-sponsored member; or
- (b) a member of a prescribed class for the purposes of sub-subparagraph 18(1)(a)(ii)(B) of the Act.

Note: Regulation 3.01 specifies what is a prescribed class for the purposes of sub-subparagraph 18(1)(a)(ii)(B) of the Act.”.

Dated this 1<sup>st</sup> day of July 2014

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