



**ASIC**

Australian Securities & Investments Commission

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## **ASIC Corporations (Electronic Lodgment of Financial Reports) Instrument 2016/181**

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I, Stephen Yen PSM, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Dated 24 March 2016

Stephen Yen

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## Part 1—Preliminary

### 1 Name of legislative instrument

This is the *ASIC Corporations (Electronic Lodgment of Financial Reports) Instrument 2016/181*.

### 2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### 3 Authority

This instrument is made under sections 341 and 352 of the *Corporations Act 2001*.

### 4 Definitions

In this instrument:

*Act* means the *Corporations Act 2001*.

*eligible financial market* means a financial market operated by:

- (a) ASX Limited;
- (b) National Stock Exchange of Australia Limited;
- (c) SIM Venture Securities Exchange Limited; or
- (d) Sydney Stock Exchange Limited.

*eligible report* means a report that a listed disclosing entity has to prepare or obtain under Division 1 or 2 of Part 2M.3 of the Act and includes a concise report provided to members under section 314 of the Act and an amended report within the meaning of section 322 of the Act.

## Part 2—Approval

### 5 Electronic lodgment of reports with operators of eligible financial markets

- (1) ASIC approves the electronic lodgment of an eligible report by a listed disclosing entity that is included in the official list of an eligible financial market.
- (2) This approval applies where all the following are satisfied:
  - (a) the operator of the financial market is appointed as agent for ASIC to receive eligible reports electronically from listed disclosing entities;
  - (b) the eligible report is lodged with the operator electronically;
  - (c) the listed disclosing entity has adequate arrangements in place to ensure a signed copy of the eligible report is kept for a period of not less than 7 years from the time of electronic lodgment.
- (3) This approval does not apply in relation to a financial year of a listed disclosing entity which is not a company or registered scheme.

## Part 3—Order

### 6 Approved forms to accompany financial documents

For the avoidance of doubt, a listed disclosing entity that lodges an eligible report in accordance with the approval in section 5 does not have to comply with regulations 1.0.08 and 1.0.09 of the *Corporations Regulations 2001* in relation to the eligible report.

## **Part 4—Savings and transitional**

### **7 Application of this instrument and ASIC Class Order [CO 98/104]**

ASIC Class Order [CO 98/104] continues to apply, despite its repeal, until the earlier of 1 October 2016 or when ASX Limited is appointed as agent for ASIC for the purposes of Part 2.

### **8 Application of this instrument and ASIC Class Order [CO 00/2451]**

ASIC Class Order [CO 00/2451] continues to apply, despite its repeal until the earlier of 1 April 2017 or when ASX Limited is appointed as agent for ASIC for the purposes of Part 2.