



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Superannuation and Schemes: Underlying Investments) Instrument 2016/378

I, Grant Moodie, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 12 May 2016

Grant Moodie

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Superannuation and Schemes: Underlying Investments) Instrument 2016/378*.

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.

3 Authority

This instrument is made under subsections 926A(2) and 951B(1) of the *Corporations Act 2001*.

4 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

public offer entity has the same meaning as in subsection 10(1) of the *Superannuation Industry (Supervision) Act 1993*.

superannuation entity has the same meaning as in subsection 10(1) of the *Superannuation Industry (Supervision) Act 1993*.

Part 2—Exemptions

5 Licensing: Public offer entities

A person in the capacity of the trustee of a public offer entity does not have to comply with the requirement in subsection 911A(1) of the Act to hold an Australian financial services licence covering the provision of the financial service of dealing in a financial product (other than an interest in the entity) by the trustee in the ordinary course of operation of the entity.

6 Financial Services Guides: superannuation entities and registered schemes

Superannuation entities

- (1) A person in the capacity of the trustee of a superannuation entity does not have to comply with the requirement in section 941A of the Act to the extent that it requires the trustee to provide a Financial Services Guide to a member of the entity for dealing by the trustee in financial products in the ordinary course of operation of the entity.

Registered schemes

- (2) A responsible entity of a registered scheme does not have to comply with the requirement in section 941A of the Act to the extent that it requires the responsible entity to provide a Financial Services Guide to a member of the scheme for dealing by the responsible entity in financial products in the ordinary course of operation of the scheme.