



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Amendment) Instrument 2017/6

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

Date 24 August 2017

Grant Moodie

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2017/6*.

2 Commencement

This instrument commences on the later of:

- (a) the date of its gazettal; and
- (b) 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:

- (a) under paragraph 911A(2)(l) and subsections 283GA(1), 601QA(1), 655A(1), 741(1), 926A(2), 992B(1) and 1020F(1) of the *Corporations Act 2001*; and
- (b) for purposes of subsection 257B(7) and item 14(b) of the table in section 611 of the *Corporations Act 2001*.

4 Schedule

Each instrument that is specified in a Schedule to this instrument is amended as set out in the applicable items in the Schedule.

Schedule 1—Amendments

ASIC Class Order [CO 08/10]

1 Paragraph 11 (definition of *approved foreign market*)

Omit the definition, substitute:

approved foreign market has the meaning given by section 9 of the Act.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Class Order [CO 12/752]

2 Section 4 (definition of *approved foreign market* in subsection 912AB(13))

Omit the definition, substitute:

approved foreign market has the meaning given by section 9.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Class Order [CO 13/655]

3 Section 4 (definition of *approved foreign market* in subsection 601GAD(10))

Omit the definition, substitute:

approved foreign market has the meaning given by section 9.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Class Order [CO 13/760]

4 Section 4 (definition of *approved foreign market* in subsection 912AA(11))

Omit the definition, substitute:

approved foreign market has the meaning given by section 9.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Class Order [CO 13/761]**5 Section 4 (definition of *approved foreign market* in subsection 912AC(12))**

Omit the definition, substitute:

approved foreign market has the meaning given by section 9.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Class Order [CO 14/1000]**6 Table A, column 1 (definition of *eligible financial market*)**

Omit paragraphs (b) to (p), substitute:

(b) an approved foreign market (see section 9 of the Act).

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Foreign Rights Issues) Instrument 2015/356**7 Section 4 (definition of *approved foreign market*)**

Omit the definition, substitute:

approved foreign market has the meaning given by section 9 of the Act.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Foreign Scrip Bids) Instrument 2015/357**8 Section 4 (definition of *approved foreign market*)**

Omit the definition, substitute:

approved foreign market has the meaning given by section 9 of the Act.

Note: The definition of *approved foreign market* is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

9 Section 4 (definition of *eligible foreign country*)

Omit the definition, substitute:

eligible foreign country means a country in which an ***approved foreign market*** is being operated.

Note: The definition of ***approved foreign market*** is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Foreign Securities—Publishing Notices) Instrument 2015/359**10 Section 5 (definition of *approved foreign market* in subsection 734(7B))**

Omit the subsection, substitute:

(7B) For the purposes of subsection (7A), ***approved foreign market*** has the meaning given by section 9.

Note: The definition of ***approved foreign market*** is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Foreign Small-Scale Offers) Instrument 2015/362**11 Section 4 (definition of *approved foreign market*)**

Omit the definition, substitute:

approved foreign market has the meaning given by section 9 of the Act.

Note: The definition of ***approved foreign market*** is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Managed investment product consideration) Instrument 2015/847**12 Section 5 (definition of *approved foreign market* in subsection 601GAA(15))**

Omit the definition, substitute:

approved foreign market has the meaning given by section 9.

Note: The definition of ***approved foreign market*** is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Minimum Bid Price) Instrument 2015/1068**13 Section 5 (definition of *approved financial market* in subsection 621(4B))**

Omit the definition, substitute:

approved financial market means:

- (a) a prescribed financial market; and
- (b) an approved foreign market (see section 9).

Note: The definition of ***approved foreign market*** is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

ASIC Corporations (Approved Foreign Financial Markets) Instrument 2015/1071**14 Section 1 (name of legislative instrument)**

Omit “*ASIC Corporations (Approved Foreign Financial Markets) Instrument 2015/1071*”, substitute “*ASIC Corporations (Approved Foreign Markets—Buy-backs and Takeovers) Instrument 2015/1071*”.

15 Section 4 (definition of *eligible financial market*)

Omit

16 Section 4 (definitions)

Insert in the appropriate alphabetical order:

approved foreign market has the same meaning as in section 5 of *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.

17 Section 5 (on-market buy-back on an overseas financial market)

Omit “eligible financial market”, substitute “approved foreign market”.

18 Section 6 (acquisition through a foreign listed company)

Omit “eligible financial market”, substitute “approved foreign market”.

ASIC Corporations (Consents to Statements) Instrument 2016/72**19 Section 5 (definition of *approved financial market* in subsection 636(3D))**

Omit the definition, substitute:

approved financial market means:

- (a) a prescribed financial market;
- (b) an approved foreign market (see section 9);
- (c) Chicago Board of Trade (also known as CBOT);
- (d) Commodities Exchange (also known as COMEX);
- (e) Euronext.liffe;
- (f) ICE Futures Canada;
- (g) ICE ENDEX;
- (h) ICE Futures Europe;
- (i) ICE Futures Singapore;
- (j) ICE Futures U.S.;
- (k) London Metal Exchange;
- (l) NASDAQ PHLX (also known as PHLX);
- (m) NASDAQ Futures (also known as NFX); and
- (n) New York Mercantile Exchange (also known as NYMEX).

Note: The definition of ***approved foreign market*** is notionally inserted by *ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669*.