



ASIC

Australian Securities & Investments Commission

ASIC (Supervisory Cost Recovery Levy— Regulatory Costs) Instrument 2018/1062

I, Emily Hodgson, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 20 November 2018

Emily Hodgson

Contents

Part 1—Preliminary	3
1 Name of legislative instrument	3
2 Commencement	3
3 Authority	3
4 Definitions	3
Part 2—Determination	4
5 Applicable financial year	4
6 ASIC’s regulatory costs	4
7 Attribution of ASIC’s regulatory costs to each sub-sector	4

Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC (Supervisory Cost Recovery Levy—Regulatory Costs) Instrument 2018/1062*.

2 Commencement

This instrument takes effect as follows:

- (a) if subsection 11(3) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the instrument takes effect on the day specified in paragraph 11(3)(a) of that Act;
- (b) if subsection 11(4) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the remaining provisions of the instrument take effect on the day specified in paragraph 11(4)(a) of that Act.

Note 1: Section 11 of the *ASIC Supervisory Cost Recovery Levy Act 2017* contains special provisions dealing with the disallowance and taking effect of instruments of this kind.

Note 2: Subsection 9(9) of the *ASIC Supervisory Cost Recovery Levy Act 2017* has the effect that the instrument can have retrospective application before the day it is registered on the Federal Register of Legislation. The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 12A(6) of the *Australian Securities and Investments Commission Act 2001* for the purposes of subsection 10(2) of the *ASIC Supervisory Cost Recovery Levy Act 2017*.

4 Definitions

In this instrument:

- (a) *Act* means the *ASIC Supervisory Cost Recovery Levy Act 2017*;
- (b) unless the contrary intention appears, an expression that:
 - (i) is used, but not defined, in this instrument; and
 - (ii) is defined in the Act;

has the same meaning in this instrument as in the Act.

Part 2—Determination

5 Applicable financial year

This determination applies to the 2017 – 2018 financial year.

6 ASIC's regulatory costs

ASIC's *regulatory costs* for the financial year are \$236,582,384.

7 Attribution of ASIC's regulatory costs to each sub-sector

Column 3 of the table specifies the extent to which ASIC's *regulatory costs* are attributable to the *sub-sector* specified in column 2 of the table.

Column 1	Column 2	Column 3
Item	Sub-sectors	Extent to which regulatory costs are attributable to the sub-sector (\$)
1	Auditors of disclosing entities	5,666,484
2	Australian derivative trade repository operators	239,750
3	Corporate advisors	4,766,509
4	Credit intermediaries	5,739,767
5	Credit providers	24,124,482
6	Credit rating agencies	231,758
7	Custodians	740,788
8	Deposit product providers	3,114,271
9	Exempt CS facility operators	15,983
10	Exempt market operators	1,134,816
11	Insurance product distributors	943,422
12	Insurance product providers	13,131,610
13	Large futures exchange operators	1,435,573
14	Large futures exchange participants	3,321,123
15	Large proprietary companies	4,473,398
16	Large securities exchange operators	3,800,648
17	Large securities exchange participants	14,724,923
18	Licenseses that provide only general advice to retail clients or wholesale clients	600,681
19	Licenseses that provide personal advice on relevant financial products to retail clients	25,634,226
20	Licenseses that provide personal advice to only wholesale clients	826,123
21	Licenseses that provide personal advice to retail clients on only products that are not relevant financial products	1,198,621
22	Listed corporations	50,415,253
23	Managed discretionary account providers	742,236
24	Margin lenders	148,261
25	Operators of investor directed portfolio services	1,221,800
26	Overseas market operators	519,458

Column 1	Column 2	Column 3
Item	Sub-sectors	Extent to which regulatory costs are attributable to the sub-sector (\$)
27	Over-the-counter traders	3,845,906
28	Payment product providers	654,552
29	Public companies (unlisted)	2,341,376
30	Registered company auditors	929,499
31	Registered liquidators	6,870,373
32	Responsible entities	22,769,635
33	Retail over-the-counter derivatives issuers	4,631,122
34	Risk management product providers	286,118
35	Securities dealers	1,482,730
36	Small amount credit providers	1,295,509
37	Small derivative market operators	479,500
38	Small futures exchange operators	251,146
39	Small securities exchange operators	536,478
40	Small securities exchange operators with self-listing function only	23,975
41	Superannuation trustees	9,592,832
42	Tier 1 clearing and settlement facility operators	1,614,315
43	Tier 2 clearing and settlement facility operators	191,800
44	Tier 3 clearing and settlement facility operators	71,925
45	Tier 4 clearing and settlement facility operators	15,983
46	Traditional trustee company service providers	296,522
47	Wholesale electricity dealers	109,516
48	Wholesale trustees	9,379,608