



# **Australian Securities and Investments Commission (Investigation into Grandfathered Conflicted Remuneration for Financial Advice) Direction 2019**

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I, Josh Frydenberg, Treasurer, give the following direction to the Australian Securities and Investments Commission.

Dated 21 February 2019

Josh Frydenberg  
Treasurer

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## Part 1—Preliminary

### 1 Name

This instrument is the *Australian Securities and Investments Commission (Investigation into Grandfathered Conflicted Remuneration for Financial Advice) Direction 2019*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2019.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under the *Australian Securities and Investments Commission Act 2001*.

### 4 Definitions

In this instrument:

**Act** means the *Australian Securities and Investments Commission Act 2001*.

**Grandfathered conflicted remuneration** means any benefit, the giving or acceptance of which would be prohibited by Subdivision C of Division 4 of Part 7.7A of the *Corporations Act 2001* but for the operation of section 1528 of that Act.

## **Part 2—Direction to undertake investigation**

### **5 Direction to undertake investigation**

Under section 14 of the Act, the Australian Securities and Investments Commission is directed to investigate the extent to which persons who are giving or accepting grandfathered conflicted remuneration, as at the commencement of this instrument, are:

- (a) changing their arrangements to end the payment of grandfathered conflicted remuneration prior to 1 January 2021; and
- (b) passing the benefit of ending the payment of grandfathered conflicted remuneration on to clients, whether through direct rebates or otherwise.