



ASIC
Australian Securities &
Investments Commission

ASIC (Supervisory Cost Recovery Levy— Regulatory Costs) Instrument 2019/1160

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

Date 20 November 2019

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 2019/1160*.

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 10(8) 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 2018–19 financial year.

6 ASIC’s regulatory costs

ASIC’s *regulatory costs* for the financial year are \$276,711,435.

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 Item	Column 2 Sub-sectors	Column 3 Extent to which regulatory costs are attributable to the sub-sector (\$)
1	Auditors of disclosing entities	5,627,610
2	Australian derivative trade repository operators	486,161
2A	Benchmark administrators	559,568
3	Corporate advisors	5,915,974
4	Credit intermediaries	6,577,962
5	Credit providers	19,754,450
6	Credit rating agencies	167,081
7	Custodians	945,073
8	Deposit product providers	2,858,251
8AA	Entities subject to close and continuous monitoring	3,664,715
8A	Established specialised market operators	617,905
9	Exempt CS facility operators	28,512
10	Exempt market operators	492,569
11	Insurance product distributors	2,110,381
12	Insurance product providers	11,579,231
13	Large futures exchange operators	1,260,343
14	Large futures exchange participants	2,168,563
15	Large proprietary companies	5,060,480
16	Large securities exchange operators	4,466,040
17	Large securities exchange participants	16,242,231
18	Licensees that provide only general advice to retail clients or wholesale clients	737,284
19	Licensees that provide personal advice on relevant financial products to retail clients	33,027,674
20	Licensees that provide personal advice to only wholesale clients	180,643
21	Licensees that provide personal advice to retail clients on only products that are not relevant financial products	124,514
22	Listed corporations	63,825,163
23	Managed discretionary account providers	1,425,540

Column 1	Column 2	Column 3
Item	Sub-sectors	Extent to which regulatory costs are attributable to the sub-sector (\$)
24	Margin lenders	126,693
24A	New specialised market operators	127,301
25	Operators of investor directed portfolio services	1,635,652
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	831,765
27	Over-the-counter traders	7,877,462
28	Payment product providers	920,058
29	Public companies (unlisted)	1,630,952
30	Registered company auditors	850,437
31	Registered liquidators	7,338,133
32	Responsible entities	25,894,245
33	Retail over-the-counter derivatives issuers	4,848,442
34	Risk management product providers	602,756
35	Securities dealers	2,465,105
36	Small and medium amount credit providers	1,318,708
38	Small futures exchange operators	422,977
39	Small securities exchange operators	671,360
40	Small securities exchange operators with self-listing function only	20,386
41	Superannuation trustees	17,234,693
42	Tier 1 clearing and settlement facility operators	1,868,266
43	Tier 2 clearing and settlement facility operators	202,943
44	Tier 3 clearing and settlement facility operators	92,247
45	Tier 4 clearing and settlement facility operators	15,688
46	Traditional trustee company service providers	117,345
47	Wholesale electricity dealers	82,122
48	Wholesale trustees	9,611,781