



**ASIC**  
Australian Securities &  
Investments Commission

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## **ASIC (Supervisory Cost Recovery Levy— Annual Determination) Instrument 2019/1161**

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

Date 20 November 2019

Emily Hodgson

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## Contents

<b>Part 1—Preliminary</b>	<b>3</b>
1 Name of legislative instrument .....	3
2 Commencement .....	3
3 Authority .....	3
4 Definitions .....	3
<b>Part 2—Determination</b>	<b>4</b>
5 Applicable financial year .....	4
6 Sub-sector population .....	4
7 Sub-sector metrics—basic levy component and graduated levy component..	5

## Part 1—Preliminary

### 1 Name of legislative instrument

This is the *ASIC (Supervisory Cost Recovery Levy—Annual Determination) Instrument 2019/1161*.

### 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](http://www.legislation.gov.au).

### 3 Authority

This instrument is made under section 73 of the *ASIC Supervisory Cost Recovery Levy Regulations 2017*.

### 4 Definitions

In this instrument:

- (a) **Regulations** means the *ASIC Supervisory Cost Recovery Levy Regulations 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 Regulations;

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

## Part 2—Determination

### 5 Applicable financial year

This determination applies to the 2018–19 financial year.

### 6 Sub-sector population

For the purposes of the definition of *sub-sector population* in subsection 4(1) of the Regulations, the *sub-sector population* for the sub-sector specified in column 2 of the table for the financial year is specified in column 3 of the table.

Column 1	Column 2	Column 3
Item	Sub-sectors	Sub-sector population
1	Auditors of disclosing entities	112
2	Australian derivative trade repository operators	2
2A	Benchmark administrators	0
3	Corporate advisors	328
4	Credit intermediaries	5,036
5	Credit providers	1,149
6	Credit rating agencies	6
7	Custodians	1,093
8	Deposit product providers	223
8AA	Entities subject to close and continuous monitoring	5
8A	Established specialised market operators	5
9	Exempt CS facility operators	1
10	Exempt market operators	25
11	Insurance product distributors	3,173
12	Insurance product providers	96
13	Large futures exchange operators	1
14	Large futures exchange participants	40
15	Large proprietary companies	10,782
16	Large securities exchange operators	2
17	Large securities exchange participants	66
18	Licensees that provide only general advice to retail clients or wholesale clients	1,020
19	Licensees that provide personal advice on relevant financial products to retail clients	3,051
20	Licensees that provide personal advice to only wholesale clients	1,579
21	Licensees that provide personal advice to retail clients on only products that are not relevant financial products	645
22	Listed corporations	2,177
23	Managed discretionary account providers	251
24	Margin lenders	24
24A	New specialised market operators	1
25	Operators of investor directed portfolio services	93
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	15
27	Over-the-counter traders	65
28	Payment product providers	664
29	Public companies (unlisted)	14,868
30	Registered company auditors	4,089
31	Registered liquidators	675
32	Responsible entities	464
33	Retail over-the-counter derivatives issuers	105
34	Risk management product providers	61

Column 1	Column 2	Column 3
Item	Sub-sectors	Sub-sector population
35	Securities dealers	953
36	Small and medium amount credit providers	237
38	Small futures exchange operators	0
39	Small securities exchange operators	2
40	Small securities exchange operators with self-listing function only	1
41	Superannuation trustees	127
42	Tier 1 clearing and settlement facility operators	4
43	Tier 2 clearing and settlement facility operators	1
44	Tier 3 clearing and settlement facility operators	1
45	Tier 4 clearing and settlement facility operators	1
46	Traditional trustee company service providers	13
47	Wholesale electricity dealers	21
48	Wholesale trustees	1,685

## 7 Sub-sector metrics—basic levy component and graduated levy component

For the purposes of the definitions of:

- (a) *basic levy component* in subsection 9(1) of the Regulations; and
- (b) *graduated levy component* in subsection 10(1) of the Regulations;

the applicable *sub-sector metric* for the sub-sector specified in column 2 of the table for the financial year is specified in column 3 of the table.

Column 1	Column 2	Column 3	
		Sub-sector metric	
Item	Sub-sectors	Basic levy component (as applicable)	Graduated levy component (as applicable)
1	Auditors of disclosing entities	561,054,751	
2	Australian derivative trade repository operators	730	
2A	Benchmark administrators	0	
3	Corporate advisors		2,742,084,177
4	Credit intermediaries		36,484
5	Credit providers		508,999,623,403
6	Credit rating agencies		1,095
7	Custodians	1,093	
8	Deposit product providers		2,387,956,164,966
8AA	Entities subject to close and continuous monitoring	5	
8A	Established specialised market operators	3,773	
9	Exempt CS facility operators	365	
10	Exempt market operators	8,552	
11	Insurance product distributors	3,173	
12	Insurance product providers		44,864,222,897
13	Large futures exchange operators	365	
14	Large futures exchange participants		239,196,322 (messages) 382,044,948 (lots)

Column 1	Column 2	Column 3	
Item	Sub-sectors	Sub-sector metric	
		Basic levy component (as applicable)	Graduated levy component (as applicable)
15	Large proprietary companies	10,782	
16	Large securities exchange operators	1,714,279,055,129	
17	Large securities exchange participants		4,177,206,059 (messages) 960,191,603 (transactions)
18	Licensees that provide only general advice to retail clients or wholesale clients	1,020	
19	Licensees that provide personal advice on relevant financial products to retail clients		24,919
20	Licensees that provide personal advice to only wholesale clients	1,579	
21	Licensees that provide personal advice to retail clients on only products that are not relevant financial products	227,499	
22	Listed corporations		1,430,964,395,712
23	Managed discretionary account providers	82,614	
24	Margin lenders	8,128	
24A	New specialised market operators	365	
25	Operators of investor directed portfolio services		692,608,032
25A	Operators of notified foreign passport funds and regulated former notified funds		0
26	Overseas market operators	4,293	
27	Over-the-counter traders		2,509
28	Payment product providers		3,600,559,353
29	Public companies (unlisted)	14,868	
30	Registered company auditors	4,089	
31	Registered liquidators		58,002
32	Responsible entities		1,339,000,721,341
33	Retail over-the-counter derivatives issuers	36,221	
34	Risk management product providers	21,498	
35	Securities dealers		103,581,872,065
36	Small and medium amount credit providers	1,635,986,174	
38	Small futures exchange operators	0	
39	Small securities exchange operators	730	
40	Small securities exchange operators with self-listing function only	365	
41	Superannuation trustees		1,692,632,721,648
42	Tier 1 clearing and	1,460	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	
<b>Item</b>	<b>Sub-sectors</b>	<b>Sub-sector metric</b>	
		Basic levy component (as applicable)	Graduated levy component (as applicable)
	settlement facility operators		
43	Tier 2 clearing and settlement facility operators	<b>365</b>	
44	Tier 3 clearing and settlement facility operators	<b>365</b>	
45	Tier 4 clearing and settlement facility operators	<b>365</b>	
46	Traditional trustee company service providers	<b>4,616</b>	
47	Wholesale electricity dealers	<b>21</b>	
48	Wholesale trustees		<b>604,247,405,032</b>