



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment) Instrument 2020/200

I, Anthony Graham, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 10 March 2020

Anthony Graham

Contents

Part 1—Preliminary	3
1 Name of legislative instrument	3
2 Commencement	3
3 Authority	3
4 Schedules	3
Schedule 1—Amendments	4
ASIC Corporations (Repeal and Transitional) Instrument 2016/396	4
ASIC Corporations (Foreign Financial Services Providers—Limited Connection) Instrument 2017/182	4
ASIC Corporations (CSSF-Regulated Financial Services Providers) Instrument 2016/1109	4

Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2020/200*.

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 under paragraph 911A(2)(1) and subsection 926A(2) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

ASIC Corporations (Repeal and Transitional) Instrument 2016/396

1 Subitem 1(1) of Schedule 2

Omit “exemption.”, substitute:

exemption, provided that a circumstance or condition that requires a person to have provided ASIC with evidence of a matter that ASIC has stated in writing is adequate is taken to be satisfied if the person has provided ASIC with evidence of that matter.

Note: See paragraph 2(a) of Schedule B to each of ASIC Class Orders [CO 03/1100], [CO 03/1101], [CO 03/1103], [CO 04/829] and [CO 04/1313] and subparagraph 2(a)(ii) of Schedule B to ASIC Class Order [CO 03/1102].

2 Subitem 1(2) of Schedule 2

Omit all the words after “relying on the exemption”, substitute:

- (a) complies with any written notice given by ASIC directing the person to give to ASIC, within the time specified in the notice, a written statement containing specified information about the financial service business operated by the person in this jurisdiction; and
- (b) if the person is relying on the exemption on or after 1 April 2020—was able to rely on the exemption on 31 March 2020.

3 Subitem 1(3) of Schedule 2

Omit “31 March 2020”, substitute “31 March 2022”.

ASIC Corporations (Foreign Financial Services Providers—Limited Connection) Instrument 2017/182

4 Section 3

Omit “31 March 2020”, substitute “31 March 2022”.

ASIC Corporations (CSSF-Regulated Financial Services Providers) Instrument 2016/1109

5 Section 3

Omit “31 March 2020”, substitute “31 March 2022”.

6 At the end of section 8

Add:

- (3) A CSSF-regulated financial services provider can only rely on this instrument on or after 1 April 2020 if the provider was able to rely on this instrument on 31 March 2020.