



**ASIC**  
Australian Securities &  
Investments Commission

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## **ASIC (Supervisory Cost Recovery Levy— Annual Determination) Instrument 2020/1073**

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

Date 24 November 2020

Emily Hodgson

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## Part 1—Preliminary

### 1 Name of legislative instrument

This is the *ASIC (Supervisory Cost Recovery Levy—Annual Determination) Instrument 2020/1073*.

### 2 Commencement and date of effect

- (1) This instrument commences on the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

- (2) 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 2019–20 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	122
2	Australian derivative trade repository operators	2
2A	Benchmark administrators	1
3	Corporate advisors	348
4	Credit intermediaries	4,653
5	Credit providers	1,096
6	Credit rating agencies	6
7	Custodians	1,126
8	Deposit product providers	211
8AA	Entities subject to close and continuous monitoring	5
8A	Established specialised market operators	6
9	Exempt CS facility operators	1
10	Exempt market operators	19
11	Insurance product distributors	3,242
12	Insurance product providers	91
13	Large futures exchange operators	1
14	Large futures exchange participants	39
15	Large proprietary companies	9,468
16	Large securities exchange operators	2
17	Large securities exchange participants	68
18	Licensees that provide only general advice to retail clients or wholesale clients	1,004
19	Licensees that provide personal advice on relevant financial products to retail clients	2,991
20	Licensees that provide personal advice to only wholesale clients	1,624
21	Licensees that provide personal advice to retail clients on only products that are not relevant financial products	625
22	Listed corporations	2,112
23	Managed discretionary account providers	254
24	Margin lenders	25
24A	New specialised market operators	2
25	Operators of investor directed portfolio services	86
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	23
27	Over-the-counter traders	77
28	Payment product providers	657
29	Public companies (unlisted)	14,945
30	Registered company auditors	3,817
31	Registered liquidators	667
32	Responsible entities	449
33	Retail over-the-counter derivatives issuers	99
34	Risk management product providers	64

Column 1	Column 2	Column 3
Item	Sub-sectors	Sub-sector population
35	Securities dealers	1,030
36	Small and medium amount credit providers	226
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	114
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	12
47	Wholesale electricity dealers	33
48	Wholesale trustees	1,693

## 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	558,036,020	
2	Australian derivative trade repository operators	732	
2A	Benchmark administrators	366	
3	Corporate advisors		2,908,342,993
4	Credit intermediaries		36,248
5	Credit providers		496,901,516,808
6	Credit rating agencies		1,098
7	Custodians	1,126	
8	Deposit product providers		2,379,420,650,095
8AA	Entities subject to close and continuous monitoring	5	
8A	Established specialised market operators	6,394	
9	Exempt CS facility operators	366	
10	Exempt market operators	3,472	
11	Insurance product distributors	3,242	
12	Insurance product providers		43,395,198,821
13	Large futures exchange operators	366	
14	Large futures exchange participants		268,868,225 (messages) 371,634,755 (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	9,468	
16	Large securities exchange operators	2,155,287,250,967	
17	Large securities exchange participants		5,281,139,761 (messages) 1,198,500,993(transactions)
18	Licenseses that provide only general advice to retail clients or wholesale clients	1,004	
19	Licenseses that provide personal advice on relevant financial products to retail clients		21,308
20	Licenseses that provide personal advice to only wholesale clients	1,624	
21	Licenseses that provide personal advice to retail clients on only products that are not relevant financial products	224,209	
22	Listed corporations		1,340,731,736,045
23	Managed discretionary account providers	89,139	
24	Margin lenders	9,019	
24A	New specialised market operators	263	
25	Operators of investor directed portfolio services		727,063,500
25A	Operators of notified foreign passport funds and regulated former notified funds		0
26	Overseas market operators	7,559	
27	Over-the-counter traders		2,389
28	Payment product providers		3,390,268,877
29	Public companies (unlisted)	14,945	
30	Registered company auditors	3,817	
31	Registered liquidators		56,482
32	Responsible entities		1,281,978,863,491
33	Retail over-the-counter derivatives issuers	35,163	
34	Risk management product providers	22,689	
35	Securities dealers		132,872,561,242
36	Small and medium amount credit providers	1,336,504,714	
38	Small futures exchange operators	0	
39	Small securities exchange operators	732	
40	Small securities exchange operators with self-listing function only	366	
41	Superannuation trustees		1,691,280,918,277
42	Tier 1 clearing and	1,464	

<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	366	
44	Tier 3 clearing and settlement facility operators	366	
45	Tier 4 clearing and settlement facility operators	366	
46	Traditional trustee company service providers	4,142	
47	Wholesale electricity dealers	33	
48	Wholesale trustees		606,098,780,855