



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Short Term Trading Market) Instrument 2021/218

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

Date 24 March 2021

Anthony Graham

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Short Term Trading Market) Instrument 2021/218*.

2 Commencement

This instrument commences on the later of:

- (a) the day after it is registered on the Federal Register of Legislation;
and
- (b) 1 April 2021.

Note: The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under paragraph 926A(2)(a) of the *Corporations Act 2001*.

4 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

AEMO means Australian Energy Market Operator Limited ACN 072 010 327.

ex ante rights means the rights and obligations created when AEMO issues or determines an ex ante market schedule or when a schedule is required to be used or taken as an ex ante market schedule in accordance with Subdivision 2 or 6 of Division 7 of Part 20 of the National Gas Rules as in force at the date of this instrument .

National Gas Rules has the meaning given in the *National Gas (South Australia) Law* (as in force at the date of this instrument) set out in the Schedule to the *National Gas (South Australia) Act 2008* of South Australia.

Trading Participant has the meaning given by rule 364 of the National Gas Rules as in force at the date of this instrument.

Part 2—Exemption

5 Exemption from the requirement for AEMO to hold an AFS licence

AEMO does not have to comply with subsection 911A(1) of the Act for the provision of the following financial services to a Trading Participant that is a wholesale client:

- (a) providing general advice in relation to ex ante rights;
- (b) dealing in ex ante rights by issuing them;
- (c) making a market in ex ante rights.

6 Exemption from the requirement for Trading Participants of AEMO to hold an AFS licence

A Trading Participant does not have to comply with subsection 911A(1) of the Act for dealing in ex ante rights on its own behalf by issuing the ex ante rights where the ex ante rights are also issued by AEMO to the Trading Participant as a wholesale client of AEMO.

Part 3—Repeal

7 Repeal

This instrument is repealed on 1 April 2026.