



**ASIC**  
Australian Securities &  
Investments Commission

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## **ASIC Corporations (Licence Conditions— Treatment of Lease Assets) Instrument 2021/229**

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I, Grant Moodie, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 26 April 2021

Grant Moodie

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## **Part 1—Preliminary**

### **1 Name of legislative instrument**

This is the *ASIC Corporations (Licence Conditions—Treatment of Lease Assets) Instrument 2021/229*.

### **2 Commencement**

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).

### **3 Authority**

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

### **4 Definitions**

In this instrument:

*Act* means the *Corporations Act 2001*.

## **Part 2—Declaration**

### **5 “Excluded assets” in conditions of Australian financial services licences**

Division 3 of Part 7.6 of the Act applies to all financial services licensees as if section 912A of the Act were modified or varied by inserting after subsection (4), the following subsection:

“(4A) For the purposes of paragraph 912A(1)(b), despite anything to the contrary in a condition of the licence (including in a definition in the licence that applies for the purposes of a condition), a right-of-use asset arising under a lease is taken not to be included in the definition of “excluded assets” in the licence.”

## **Part 3—Repeal**

### **6 Repeal**

This instrument is repealed on 1 May 2026.