



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment and Repeal) Instrument 2021/799

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

Date 21 September 2021

Anthony Graham

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment and Repeal) Instrument 2021/799*.

2 Commencement

This instrument commences on the later of:

- (a) 5 October 2021; 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 subsections 601QA(1), 741(1), 992B(1) and 1020F(1) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned.

Schedule 1—Amendments

ASIC Class Order [CO 13/762]

1 Subparagraph 4(a)

After “6D.3” insert “or section 992A”.

ASIC Class Order [CO 13/763]

2 Paragraph 4(b)

After “6D.3” insert “or section 992A”.

3 Paragraph 11(a)

Omit “of the Act for an offer securities”, substitute “or section 992A of the Act for an offer”.

ASIC Class Order [CO 14/1000]

4 Paragraph 13

Omit “unsolicited meeting or telephone call held or”, substitute “unsolicited contact with the eligible participant”.

5 Paragraph 13

Omit “section 736, 992A or 992AA”, substitute “section 992A”.

ASIC Class Order [CO 14/1001]

6 Paragraph 13

Omit “unsolicited meeting or telephone call held or”, substitute “unsolicited contact with the eligible participant”.

7 Paragraph 13

Omit “section 736, 992A or 992AA”, substitute “section 992A”.

ASIC Corporations (Avia Syndicate) Instrument 2015/825

8 Subsection 5(3)

Omit “(except section 736)”.

***ASIC Corporations (Employee redundancy funds relief)
Instrument 2015/1150*****9 Subsection 5(2)**

Omit “; 992A; and 992AA;”, substitute “and 992A”.

ASIC Corporations (Horse Schemes) Instrument 2016/790**10 Subsection 6(4)**

Omit “992AA”, substitute “992A”.

11 Subsection 6(4)

Omit all the words from and including “because of” to and including “meeting or call”, substitute “because of, an unsolicited contact with the person, if, at the commencement of the unsolicited contact”.

ASIC Corporations (School Enrolment Deposits) Instrument 2016/812**12 Paragraph 5(1)(c)**

Omit “992AA of the Act in relation to”, substitute “992A of the Act in relation to a school enrolment debenture or”.

***ASIC Corporations (Charitable Investment Fundraising)
Instrument 2016/813*****13 Paragraph 5(1)(c)**

Omit “992AA of the Act in relation to”, substitute “992A of the Act in relation to a debenture or”.

***ASIC Corporations (Serviced Apartment and Like Schemes)
Instrument 2016/869*****14 Paragraph 5(1)(c)**

Omit “sections 992A and 992AA”, substitute “section 992A”.

15 Section 9

Omit “and 992AA”.

ASIC Corporations (Property Rental Schemes) Instrument 2016/870**16 Section 7**

Omit “sections 992A and 992AA”, substitute “section 992A”.

ASIC Corporations (Managed Discretionary Account Services) Instrument 2016/968**17 Paragraph 5(1)(b) and subsection 11(1)**

After “6D.3” insert “or section 992A”.

ASIC Corporations (Managed Investment Schemes: Interests Not For Money) Instrument 2016/1107**18 Subsections 5(3), 6(3) and 7(3)**

Omit “992AA”, substitute “992A”.

ASIC Corporations (Nominee and Custody Services) Instrument 2016/1156**19 Paragraphs 5(1)(a) and 6(1)(a)**

After “6D.3” insert “or section 992A”.

ASIC Corporations (Mortgage Investment Schemes) Instrument 2017/857**20 Subsection 5(4)**

Omit “992AA”, substitute “992A”.

21 Subsection 5(4)

Omit all the words after “because of”, substitute “, an unsolicited contact with the person”.

ASIC Corporations (Share and Interest Purchase Plans) Instrument 2019/547**22 Subsection 6(2)**

Omit “(other than sections 736 and 738)”.

ASIC Corporations (Conditional Costs Schemes) Instrument 2020/38

23 Section 7

Omit “subsection 992A(1) or (3), or subsection 992AA(1),”, substitute “section 992A”.

Schedule 2—Repeals

ASIC Corporations (Securities and Managed Investment Scheme Hawking Relief) Instrument 2017/184

1 The whole of the instrument

Repeal the instrument.

ASIC Corporations (Life Risk Insurance and Consumer Credit Insurance) Instrument 2019/839

2 The whole of the instrument

Repeal the instrument.