



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment) Instrument 2022/0077

I, Kate Metz, delegate of the Australian Securities and Investments Commission,
make the following legislative instrument.

Date 28 March 2022

Kate Metz

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2022/0077*.

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.

3 Authority

This instrument is made under paragraphs 283GA(1)(a), 741(1)(a), 992B(1)(a) and 1020F(1)(a) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Repeal of amending instruments

- (1) The repeal of an instrument by section 4 does not affect any amendment to or repeal of another instrument (however described) made by the instrument.
- (2) Subsection (1) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by section 4 of this instrument.

Schedule 1—Amendments

ASIC Corporations (Repeal and Transitional) Instrument 2017/186

1 Item 1, Schedule 2

Repeal the item, substitute:

1 Transitional relief

- (1) An exemption specified in ASIC Class Order [CO 02/273] as in force immediately before its repeal, continues to apply by force of this item, in the circumstances specified in item 2 and in the circumstances and on the conditions specified in relation to the exemption.
- (2) Subitem 1(1) has effect until 1 October 2022.

2 Where exemption applies

- (1) From 1 April 2022, an exemption specified in subitem 1(1) applies to a person who was relying on an exemption specified in subitem 1(1) on 31 March 2022:
 - (a) until 2 May 2022; and
 - (b) after 2 May 2022, if the person has given ASIC a notice that complies with item 3 by 2 May 2022.
- (2) From 1 April 2022, an exemption specified in subitem 1(1) applies to a person who was not relying on an exemption specified in subitem 1(1) on 31 March 2022:
 - (a) who has given ASIC a notice that complies with item 4;
 - (b) from the date specified in the notice under subitem 4(c).

3 Continuing reliance notice

A notice under sub-subitem 2(1)(b) must set out in writing all of the following:

- (a) the name of the person;
- (b) each exemption specified in subitem 1(1) relied on;
- (c) the date the person started to rely on the exemption.

4 Opt-in notice

A notice under sub-subitem 2(2)(b) must set out in writing all of the following:

- (a) the name of the person;
- (b) each exemption specified in subitem 1(1) to be relied on;
- (c) the date the person will start to rely the exemption.