



ASIC
Australian Securities &
Investments Commission

ASIC (Amendment) Instrument 2022/0427

I, Joseph Longo, Chairperson of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 1 June 2022

Joseph Longo

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC (Amendment) Instrument 2022/0427*.

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 section 122A of the *Australian Securities and Investments Commission Act 2001*.

4 Schedule

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

ASIC (Senior Staff Members—Determination) Instrument 2019/117

1 Section 4 (definition of *Financial Services and Credit Panel*)

Omit the definition.

2 Subsection 6(2)

Omit the subsection (including the heading).

3 At the end of section 6

Add:

Registry functions and powers

(4) A staff member who holds or acts in a position in the Australian Taxation Office of Deputy Registrar, Deputy Commissioner or Assistant Commissioner whose services are being made available to assist ASIC is a senior staff member for the purposes of performing functions and exercising powers in relation to registry matters:

(a) as a delegate of the Minister under:

(i) subsections 147(2), 601DC(2) and 1213B(6) of the Corporations Act;

(ii) subsections 27(2), 28(2) and 32(3) of the *Business Names Registration Act 2011*;

(iii) subsections 9(1) and 9(2) of the *Business Names Registration (Availability of Names) Determination 2015*;

(b) as a delegate of ASIC under section 37 and subsections 41(1) and 47(1) of the *Business Names Registration Act 2011*.