



ASIC
Australian Securities &
Investments Commission

ASIC (Supervisory Cost Recovery Levy— Regulatory Costs) Instrument 2022/889

I, Peter Dunlop, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 9 November 2022

Peter Dunlop

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC (Supervisory Cost Recovery Levy—Regulatory Costs) Instrument 2022/889*.

2 Commencement and date of effect

- (1) 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.

- (2) This instrument takes effect as follows:
- (a) if subsection 11(3) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the instrument takes effect on the day specified in paragraph 11(3)(a) of that Act;
 - (b) if subsection 11(4) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the remaining provisions of the instrument take effect on the day specified in paragraph 11(4)(a) of that Act.

Note 1: Section 11 of the *ASIC Supervisory Cost Recovery Levy Act 2017* contains special provisions dealing with the disallowance and taking effect of instruments of this kind.

Note 2: Subsection 10(8) of the *ASIC Supervisory Cost Recovery Levy Act 2017* has the effect that the instrument can have retrospective application before the day it is registered on the Federal Register of Legislation. The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 12A(6) of the *Australian Securities and Investments Commission Act 2001* for the purposes of subsection 10(2) of the *ASIC Supervisory Cost Recovery Levy Act 2017*.

4 Definitions

In this instrument:

- (a) *Act* means the *ASIC Supervisory Cost Recovery Levy Act 2017*; and
- (b) unless the contrary intention appears, an expression that:
 - (i) is used, but not defined, in this instrument; and
 - (ii) is defined in the Act;

has the same meaning in this instrument as in the Act.

Part 2—Determination

5 Applicable financial year

This determination applies to the 2021–22 financial year.

6 ASIC’s regulatory costs

ASIC’s *regulatory costs* for the financial year are \$313,308,684.

7 Attribution of ASIC’s regulatory costs to each sub-sector

Column 3 of the table specifies the extent to which ASIC’s *regulatory costs* are attributable to the *sub-sector* specified in column 2 of the table.

Column 1 Item	Column 2 Sub-sectors	Column 3 Extent to which regulatory costs are attributable to the sub-sector (\$)
1	Auditors of disclosing entities	6,796,365
2	Australian derivative trade repository operators	130,433
2A	Benchmark administrators	220,094
2B	Claims handling and settling services providers	1,218,800
3	Corporate advisors	1,929,606
4	Credit intermediaries	8,675,583
5	Credit providers	31,837,090
6	Credit rating agencies	123,286
7	Custodians	350,612
8	Deposit product providers	12,010,118
8A	Established specialised market operators	642,065
9	Exempt CS facility operators	10,729
10	Exempt market operators	87,438
11	Insurance product distributors	3,131,482
12	Insurance product providers	24,254,744
13	Large futures exchange operators	1,597,741
14	Large futures exchange participants	4,586,328
15	Large proprietary companies	6,375,617
16	Large securities exchange operators	4,965,301
17	Large securities exchange participants	20,833,594
18	Licenseses that provide only general advice to retail clients or wholesale clients	1,290,504
19	Licenseses that provide personal advice on relevant financial products to retail clients	22,775,473
20	Licenseses that provide personal advice to only wholesale clients	50,938
21	Licenseses that provide personal advice to retail clients on only products that are not relevant financial products	73,059
22	Listed corporations	47,138,480
23	Managed discretionary account providers	1,774,421
24	Margin lenders	9,326

Column 1	Column 2	Column 3
Item	Sub-sectors	Extent to which regulatory costs are attributable to the sub-sector (\$)
24A	New specialised market operators	3,293
25	Operators of investor directed portfolio services	443,430
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	287,556
27	Over-the-counter traders	15,875,834
28	Payment product providers	2,415,512
29	Public companies (unlisted)	3,702,529
30	Registered company auditors	1,457,764
31	Registered liquidators	4,129,675
32	Responsible entities	23,388,141
33	Retail over-the-counter derivatives issuers	10,512,906
34	Risk management product providers	371,446
35	Securities dealers	4,361,021
36	Small and medium amount credit providers	4,630,253
38	Small futures exchange operators	110,272
39	Small securities exchange operators	573,970
40	Small securities exchange operators with self-listing function only	1,098
41	Superannuation trustees	32,165,493
42	Tier 1 clearing and settlement facility operators	1,731,652
43	Tier 2 clearing and settlement facility operators	117,071
44	Tier 3 clearing and settlement facility operators	11,341
45	Tier 4 clearing and settlement facility operators	1,067
46	Traditional trustee company service providers	91,406
47	Wholesale electricity dealers	72,040
48	Wholesale trustees	3,964,687