



ASIC
Australian Securities &
Investments Commission

ASIC (Supervisory Cost Recovery Levy— Annual Determination) Instrument 2022/890

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—Annual Determination) Instrument 2022/890*.

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 9(9) 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 section 73 of the *ASIC Supervisory Cost Recovery Levy Regulations 2017*.

4 Definitions

In this instrument:

- (a) **Regulations** means the *ASIC Supervisory Cost Recovery Levy Regulations 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 Regulations;

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

Part 2—Determination

5 Applicable financial year

This determination applies to the 2021-22 financial year.

6 Sub-sector population

For the purposes of the definition of *sub-sector population* in subsection 4(1) of the Regulations, the *sub-sector population* for the sub-sector specified in column 2 of the table for the financial year is specified in column 3 of the table.

Column 1 Item	Column 2 Sub-sectors	Column 3 Sub-sector population
1	Auditors of disclosing entities	122
2	Australian derivative trade repository operators	1
2A	Benchmark administrators	2
2B	Claims handling and settling services providers	304
3	Corporate advisors	343
4	Credit intermediaries	4,291
5	Credit providers	1,041
6	Credit rating agencies	6
7	Custodians	1,277
8	Deposit product providers	197
8A	Established specialised market operators	23
9	Exempt CS facility operators	2
10	Exempt market operators	3
11	Insurance product distributors	3,452
12	Insurance product providers	106
13	Large futures exchange operators	1
14	Large futures exchange participants	34
15	Large proprietary companies	9,820
16	Large securities exchange operators	2
17	Large securities exchange participants	63
18	Licenseses that provide only general advice to retail or wholesale clients	1,076
19	Licenseses that provide personal advice on relevant financial products to retail clients	2,886
20	Licenseses that provide personal advice to only wholesale clients	1,822
21	Licenseses that provide personal advice to retail clients on only products that are not relevant financial products	596
22	Listed corporations	2,189
23	Managed discretionary account providers	244
24	Margin lenders	24
24A	New specialised market operators	1
25	Operators of investor directed portfolio services	82
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	29
27	Over-the-counter traders	80
28	Payment product providers	662
29	Public companies (unlisted)	14,859
30	Registered company auditors	3,413
31	Registered liquidators	669
32	Responsible entities	435
33	Retail over-the-counter derivatives issuers	94
34	Risk management product providers	73

Column 1	Column 2	Column 3
Item	Sub-sectors	Sub-sector population
35	Securities dealers	1,182
36	Small and medium amount credit providers	419
38	Small futures exchange operators	1
39	Small securities exchange operators	2
40	Small securities exchange operators with self-listing function only	1
41	Superannuation trustees	96
42	Tier 1 clearing and settlement facility operators	4
43	Tier 2 clearing and settlement facility operators	1
44	Tier 3 clearing and settlement facility operators	1
45	Tier 4 clearing and settlement facility operators	1
46	Traditional trustee company service providers	11
47	Wholesale electricity dealers	43
48	Wholesale trustees	1,832

7 Sub-sector metrics—basic levy component and graduated levy component

For the purposes of the definitions of:

- (a) *basic levy component* in subsection 9(1) of the Regulations; and
- (b) *graduated levy component* in subsection 10(1) of the Regulations;

the applicable *sub-sector metric* for the sub-sector specified in column 2 of the table for the financial year is specified in column 3 of the table.

Column 1	Column 2	Column 3	
		Sub-sector metric	
Item	Sub-sectors	Basic levy component (as applicable)	Graduated levy component (as applicable)
1	Auditors of disclosing entities	610,039,672	
2	Australian derivative trade repository operators	365	
2A	Benchmark administrators	730	
2B	Claims handling and settling services providers		6,066,296
3	Corporate advisors		4,551,764,509
4	Credit intermediaries		38,722
5	Credit providers		773,879,793,771
6	Credit rating agencies		1,095
7	Custodians	1,277	
8	Deposit product providers		2,972,678,312,388
8A	Established specialised market operators	7,855	
9	Exempt CS facility operators	509	
10	Exempt market operators	1,095	
11	Insurance product distributors	3,452	
12	Insurance product providers		49,584,581,187
13	Large futures exchange operators	365	
14	Large futures exchange participants		311,861,292 (messages) 300,040,302 (lots)

Column 1	Column 2	Column 3	
Item	Sub-sectors	Sub-sector metric	
		Basic levy component (as applicable)	Graduated levy component (as applicable)
15	Large proprietary companies	9,820	
16	Large securities exchange operators		2,351,638,397,871
17	Large securities exchange participants		5,695,147,937 (messages) 1,143,113,162 (transactions)
18	Licenseses that provide only general advice to retail or wholesale clients	1,076	
19	Licenseses that provide personal advice on relevant financial products to retail clients		16,153
20	Licenseses that provide personal advice to only wholesale clients	1,822	
21	Licenseses that provide personal advice to retail clients on only products that are not relevant financial products	210,564	
22	Listed corporations		1,480,534,962,926
23	Managed discretionary account providers	83,898	
24	Margin lenders	8,282	
24A	New specialised market operators	171	
25	Operators of investor directed portfolio services		671,740,471
25A	Operators of notified foreign passport funds and regulated former notified funds		
26	Overseas market operators	10,306	
27	Over-the-counter traders		2,034
28	Payment product providers		4,626,118,061
29	Public companies (unlisted)	14,859	
30	Registered company auditors	3,413	
31	Registered liquidators		41,226
32	Responsible entities		1,433,561,639,940
33	Retail over-the-counter derivatives issuers	32,303	
34	Risk management product providers	24,798	
35	Securities dealers		217,147,572,301
36	Small and medium amount credit providers	1,343,318,539	
38	Small futures exchange operators	365	
39	Small securities exchange operators	730	
40	Small securities exchange operators with self-listing function only	365	
41	Superannuation trustees		1,989,826,708,586

Column 1	Column 2	Column 3	
Item	Sub-sectors	Sub-sector metric	
		Basic levy component (as applicable)	Graduated levy component (as applicable)
42	Tier 1 clearing and settlement facility operators	1,460	
43	Tier 2 clearing and settlement facility operators	365	
44	Tier 3 clearing and settlement facility operators	365	
45	Tier 4 clearing and settlement facility operators	365	
46	Traditional trustee company service providers	4,015	
47	Wholesale electricity dealers	43	
48	Wholesale trustees		818,932,713,553