



Australian Securities and Investments Commission (Standing Acting Arrangements) Appointment 2022

I, Dr James Edward Chalmers, Treasurer, make the following appointments.

Dated 9 June 2022

Dr James Edward Chalmers
Treasurer

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Section 1

Part 1—Preliminary

1 Name

This instrument is the *Australian Securities and Investments Commission (Standing Acting Arrangements) Appointment 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Australian Securities and Investments Commission 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Definitions

Note: Paragraph 13(1)(b) of the *Legislation Act 2003* has the effect that expressions have the same meaning in this instrument as in the *Australian Securities and Investments Commission Act 2001* as in force from time to time.

In this instrument:

senior available appointee has the meaning given by subsection 6(2).

the Act means the *Australian Securities and Investments Commission Act 2001*.

Part 2—Standing acting arrangements for ASIC

6 Standing acting arrangements for Chairperson of ASIC

- (1) Under section 117 of the Act, during all periods when:
 - (a) there is a vacancy in the office of Chairperson; or
 - (b) the Chairperson is absent from office;the person determined in accordance with subsections (2), (3) and (4) is appointed to act as Chairperson.
- (2) For the purposes of this instrument, the *senior available appointee* at a particular time is the person who, at that time, is a member of ASIC, is not absent from office or from Australia, and is highest in the following list:
 - (a) Sarah Court.
- (3) The senior available appointee at the start of a period when there is vacancy in the office of Chairperson or when the Chairperson is absent from office, is to act as Chairperson during that period.
- (4) However, if a person who is acting as Chairperson during a period (under subsection (3) or a previous application of this subsection) ceases at a particular time to be the senior available appointee, the senior available appointee at that time is to act as Chairperson during the remainder of that period.
- (5) Under subsection 33A(1) of the *Acts Interpretation Act 1901*, each appointment under subsection (1) is determined to be on the same terms and conditions that apply to the Chairperson under sections 112, 114 and 115 of the Act.

Schedule 1—Repeals

Australian Securities and Investments Commission (Standing Acting Arrangement for Chairperson) Appointment 2020

1 The whole of the instrument

Repeal the instrument.