



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment) Instrument 2023/160

I, Claire LaBouchardiere, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 17 March 2023

Claire LaBouchardiere

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2023/160*.

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 subsections 283GA(1), 601QA(1), 655A(1), 741(1), 926A(2), 992B(1), 1020F(1) and 1100K(2) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

ASIC Class Order [CO 13/761]

1 Section 4

Omit “ASIC Class Order [CO 12/752]”, substitute “*ASIC Corporations (Financial Requirements for Issuers of Retail OTC Derivatives) Instrument 2022/705*”.

ASIC Corporations (Financial Requirements for CSF Intermediaries) Instrument 2017/339

2 Section 5 (notional subparagraph 912AH(1)(b)(v) of the *Corporations Act 2001*)

Omit “ASIC Class Order [CO 12/752]”, substitute “*ASIC Corporations (Financial Requirements for Issuers of Retail OTC Derivatives) Instrument 2022/705*”.

ASIC Corporations (Definition of Approved Foreign Market) Instrument 2017/669

3 Section 3

Omit “and 1020F(1)”, substitute “, 1020F(1) and 1100ZK(2)”.

4 Section 4 (paragraph (b) of the definition of *applicable ASIC legislative instrument*)

Omit the paragraph, substitute:

- (b) *ASIC Corporations (Financial Requirements for Issuers of Retail OTC Derivatives) Instrument 2022/705*;

5 At the end of the instrument

Add:

Part 3—Determination

6 Determination of foreign financial markets

For the purposes of section 1100K of the Act, each approved foreign market (within the meaning of section 5) is determined.