



## Corporations (Derivatives) Determination 2023

---

I, Stephen Jones, Assistant Treasurer and Minister for Financial Services, having had regard to the matters specified in subsection 901B(3) of the *Corporations Act 2001*, and having consulted the Australian Securities and Investments Commission, Australian Prudential Regulation Authority, and the Reserve Bank of Australia, make the following determination.

Dated                    8 August                    2023

Stephen Jones  
Assistant Treasurer  
Minister for Financial Services

---



---

# Contents

<b>Part 1—Preliminary</b>	1
1 Name .....	1
2 Commencement .....	1
3 Authority.....	1
4 Schedules .....	1
5 Definitions .....	1
<b>Part 2—Derivatives in relation to which rules may impose reporting requirements</b>	2
6 Determined derivatives for which reporting requirements may be imposed .....	2
<b>Part 3—Derivatives in relation to which rules may impose clearing requirements</b>	3
7 Determined derivatives for which clearing requirements may be imposed.....	3
<b>Schedule 1—Repeals</b>	4
<i>Corporations (Derivatives) Determination 2013</i>	4



## Part 1—Preliminary

### 1 Name

This instrument is the *Corporations (Derivatives) Determination 2023*.

### 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Note: This table relates only to the provisions of this instrument as originally made.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 *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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

### 5 Definitions

Note: Expressions have the same meaning in this instrument as in the *Corporations Act 2001* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

*the Act* means the *Corporations Act 2001*.

## **Part 2—Derivatives in relation to which rules may impose reporting requirements**

### **6 Determined derivatives for which reporting requirements may be imposed**

Under subsection 901B(2) of the Act, each of the following classes of derivatives has been determined as a class of derivatives to which reporting requirements may be imposed:

- (a) commodity derivatives (other than electricity derivatives);
- (b) credit derivatives;
- (c) equity derivatives;
- (d) foreign exchange derivatives;
- (e) interest rate derivatives.

## **Part 3—Derivatives in relation to which rules may impose clearing requirements**

### **7 Determined derivatives for which clearing requirements may be imposed**

Under subsection 901B(2) of the Act, interest rate derivatives denominated in each of the following currencies have been determined as classes of derivatives to which clearing requirements may be imposed:

- (a) Australian dollars;
- (b) United States dollars;
- (c) Euros;
- (d) British pounds;
- (e) Japanese yen.

## **Schedule 1—Repeals**

### ***Corporations (Derivatives) Determination 2013***

#### **1 The whole of the instrument**

Repeal the instrument.