

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

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Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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