



**ASIC**  
Australian Securities &  
Investments Commission

---

## **ASIC Corporations (Amendment and Repeal) Instrument 2023/649**

---

I, Leah Sciacca, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 30 August 2023

Leah Sciacca

---

## Contents

<b>Part 1—Preliminary</b>	<b>3</b>
1 Name of legislative instrument .....	3
2 Commencement .....	3
3 Authority .....	3
4 Schedules .....	3
<b>Schedule 1—Amendments</b>	<b>4</b>
<i>ASIC Corporations (Financial Requirements for CSF Intermediaries)</i> <i>Instrument 2017/339</i> .....	4
<i>ASIC Corporations (Definition of Approved Foreign Market) Instrument</i> <i>2017/669</i> .....	4
<i>ASIC Corporations (Wholesale Equity Scheme Trustees) Instrument 2017/849</i>	4
<i>ASIC Corporations (Foreign Financial Services Providers—Foreign AFS</i> <i>Licensees) Instrument 2020/198</i> .....	5
<b>Schedule 2—Repeals</b>	<b>6</b>
ASIC Class Order [CO 13/760] .....	6
ASIC Class Order [CO 13/761] .....	6
<i>ASIC Corporations (Financial Requirements for Corporate Directors of Retail</i> <i>Corporate Collective Investment Vehicles) Instrument 2022/449</i> .....	6

## **Part 1—Preliminary**

### **1 Name of legislative instrument**

This is the *ASIC Corporations (Amendment and Repeal) Instrument 2023/649*.

### **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](http://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 1100ZK(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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Corporations (Financial Requirements for CSF Intermediaries) Instrument 2017/339*

#### **1 Section 5 (notional subsection 912AH)**

Omit “ASIC Class Order [CO 13/761]” (wherever occurring), substitute “*ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648*”.

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

#### **2 Section 4 (paragraphs (d) and (e) of the definition of *applicable ASIC legislative instrument*)**

Repeal the paragraphs, substitute:

- (d) *ASIC Corporations (Financial Requirements for Responsible Entities, IDPS Operators and Corporate Directors of Retail CCIVs) Instrument 2023/647*;
- (e) *ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648*;

### *ASIC Corporations (Wholesale Equity Scheme Trustees) Instrument 2017/849*

#### **3 Subparagraph 6(a)(ii) (note)**

Omit “ASIC Class Orders [CO 13/760] and [CO 13/761]”, substitute “*ASIC Corporations (Financial Requirements for Responsible Entities, IDPS Operators and Corporate Directors of Retail CCIVs) Instrument 2023/647* and *ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648*”.

#### **4 Paragraph 7(1)(b)**

Omit “ASIC Class Order [CO 13/761]”, substitute “*ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648*”.

#### **5 Subsection 7(1) (note)**

Omit “ASIC Class Order [CO 13/761]”, substitute “*ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648*”.

***ASIC Corporations (Foreign Financial Services Providers—Foreign AFS Licensees) Instrument 2020/198***

**6 Paragraph 18(1)(d)**

Omit “ASIC Class Order [CO 13/761]”, substitute “*ASIC Corporations (Financial Requirements for Custodial or Depository Service Providers) Instrument 2023/648*”.

## **Schedule 2—Repeals**

### **ASIC Class Order [CO 13/760]**

**1 The whole of the instrument**

Repeal the instrument.

### **ASIC Class Order [CO 13/761]**

**2 The whole of the instrument**

Repeal the instrument.

### ***ASIC Corporations (Financial Requirements for Corporate Directors of Retail Corporate Collective Investment Vehicles) Instrument 2022/449***

**3 The whole of the instrument**

Repeal the instrument.