



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment) Instrument 2023/774

I, Amanda Zeller, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 17 October 2023

Amanda Zeller

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2023/774*.

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 655A(1) and 669(1) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (Takeover Bids) Instrument 2023/683

1 Paragraph 6(c) (notional subparagraph 636(1)(g) of the *Corporations Act 2001*)

Omit all the words after subparagraph (ii), substitute:

- (iii) that body agrees to the bidder offering, or authorises, arranges for or permits the bidder to offer the securities;

all material that would be required for a prospectus for an offer of those securities by the bidder, or, if subparagraph (iii) applies, the body, under whichever of the following is applicable:

- (iv) sections 710 to 713;
- (v) sections 713C to 713E

2 Section 10

Repeal the section.

ASIC Corporations (Compulsory Acquisitions and Buyouts) Instrument 2023/684

3 After subparagraph 5(a)(ii)

Insert:

- (ia) in paragraph (4)(c), after “if securities”, insert “or derivatives”; and

4 Paragraph 5(b) (notional subparagraph 661B(1)(c)(ii) of the *Corporations Act 2001*)

After “convertible securities”, insert “or derivatives”.