

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](http://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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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:

(iia) 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”.