



**ASIC**  
Australian Securities &  
Investments Commission

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## **ASIC (Supervisory Cost Recovery Levy— Regulatory Costs) Instrument 2023/777**

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I, Peter Dunlop, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 3 November 2023

Peter Dunlop

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## Part 1—Preliminary

### 1 Name of legislative instrument

This is the *ASIC (Supervisory Cost Recovery Levy—Regulatory Costs) Instrument 2023/777*.

### 2 Commencement and date of effect

- (1) 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).

- (2) This instrument takes effect as follows:

- (a) if subsection 11(3) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the instrument takes effect on the day specified in paragraph 11(3)(a) of that Act;
- (b) if subsection 11(4) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the remaining provisions of the instrument take effect on the day specified in paragraph 11(4)(a) of that Act.

Note 1: Section 11 of the *ASIC Supervisory Cost Recovery Levy Act 2017* contains special provisions dealing with the disallowance and taking effect of instruments of this kind.

Note 2: Subsection 10(8) of the *ASIC Supervisory Cost Recovery Levy Act 2017* has the effect that the instrument can have retrospective application before the day it is registered on the Federal Register of Legislation. The register may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### 3 Authority

This instrument is made under subsection 12A(6) of the *Australian Securities and Investments Commission Act 2001* for the purposes of subsection 10(2) of the *ASIC Supervisory Cost Recovery Levy Act 2017*.

### 4 Definitions

In this instrument:

- (a) *Act* means the *ASIC Supervisory Cost Recovery Levy Act 2017*; and
- (b) unless the contrary intention appears, an expression that:
- (i) is used, but not defined, in this instrument; and
- (ii) is defined in the Act;

has the same meaning in this instrument as in the Act.

## Part 2—Determination

### 5 Applicable financial year

This determination applies to the 2022–23 financial year.

### 6 ASIC’s regulatory costs

ASIC’s *regulatory costs* for the financial year are \$349,531,836.

### 7 Attribution of ASIC’s regulatory costs to each sub-sector

Column 3 of the table specifies the extent to which ASIC’s *regulatory costs* are attributable to the *sub-sector* specified in column 2 of the table.

Column 1 Item	Column 2 Sub-sectors	Column 3 Extent to which regulatory costs are attributable to the sub-sector (\$)
1	Auditors of disclosing entities	4,574,259
2	Australian derivative trade repository operators	211,030
2A	Benchmark administrators	134,362
2B	Claims handling and settling services providers	5,544,973
3	Corporate advisors	2,606,419
4	Credit intermediaries	4,267,575
5	Credit providers	30,569,305
6	Credit rating agencies	74,804
7	Custodians	141,333
8	Deposit product providers	9,793,089
8A	Established specialised market operators	604,442
9	Exempt CS facility operators	28,795
10	Exempt market operators	12,888
11	Insurance product distributors	3,009,849
12	Insurance product providers	27,548,548
13	Large futures exchange operators	1,138,410
14	Large futures exchange participants	5,829,105
15	Large proprietary companies	8,773,758
16	Large securities exchange operators	6,984,161
17	Large securities exchange participants	16,451,973
18	Licenseses that provide only general advice to retail clients or wholesale clients	2,252,926
19	Licenseses that provide personal advice on relevant financial products to retail clients	47,593,147
20	Licenseses that provide personal advice to only wholesale clients	176,202
21	Licenseses that provide personal advice to retail clients on only products that are not relevant financial products	96,425
22	Listed corporations	42,999,175
23	Managed discretionary account providers	367,979
24	Margin lenders	0

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Sub-sectors</b>	<b>Extent to which regulatory costs are attributable to the sub-sector (\$)</b>
24A	New specialised market operators	7,942
25	Operators of investor directed portfolio services	0
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	447,545
27	Over-the-counter traders	13,842,313
28	Payment product providers	4,144,878
29	Public companies (unlisted)	3,460,331
30	Registered company auditors	1,479,402
31	Registered liquidators	5,063,018
32	Responsible entities	35,008,557
33	Retail over-the-counter derivatives issuers	12,534,371
34	Risk management product providers	367,809
35	Securities dealers	4,037,020
36	Small and medium amount credit providers	8,394,578
38	Small futures exchange operators	51,354
39	Small securities exchange operators	703,220
40	Small securities exchange operators with self-listing function only	0
41	Superannuation trustees	29,603,269
42	Tier 1 clearing and settlement facility operators	4,602,493
43	Tier 2 clearing and settlement facility operators	105,056
44	Tier 3 clearing and settlement facility operators	29,588
45	Tier 4 clearing and settlement facility operators	0
46	Traditional trustee company service providers	105,580
47	Wholesale electricity dealers	148,187
48	Wholesale trustees	3,610,393