

ASIC (Supervisory Cost Recovery Levy—Regulatory Costs) Instrument 2024/821

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

Date 7 November 2024

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 2024/821.*

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.

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 2023-24 financial year.

6 ASIC’s regulatory costs

ASIC’s ***regulatory costs*** for the financial year are $328,108,436.

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** | **Column 2** | **Column 3** |
| --- | --- | --- |
| **Item** | **Sub-sectors** | **Extent to which regulatory costs are attributable to the sub-sector ($)** |
| 1 | Auditors of disclosing entities | 7,096,900.00 |
| 2 | Australian derivative trade repository operators  | 255,427.00 |
| 2A | Benchmark administrators | 91,091.00 |
| 2B | Claims handling and settling services providers | 6,903,067.00 |
| 3 | Corporate advisors | 1,893,516 |
| 4 | Credit intermediaries | 2,891,763 |
| 5 | Credit providers | 31,324,600 |
| 6 | Credit rating agencies | 41,479 |
| 7 | Custodians |  636,143  |
| 8 | Deposit product providers  | 4,355,132 |
| 8A | Established specialised market operators | 472,403 |
| 9 | Exempt CS facility operators | 11,522 |
| 10 | Exempt market operators | 11,522 |
| 11 | Insurance product distributors | 842,495 |
| 12 | Insurance product providers | 11,255,306 |
| 13 | Large futures exchange operators | 1,188,008 |
| 14 | Large futures exchange participants  | 850,794 |
| 15 | Large proprietary companies | 10,312,687 |
| 16 | Large securities exchange operators | 5,344,210 |
| 17 | Large securities exchange participants | 19,092,934 |
| 18 | Licensees that provide only general advice to retail clients or wholesale clients  | 2,798,274 |
| 19 | Licensees that provide personal advice on relevant financial products to retail clients  | 45,013,593 |
| 20 | Licensees that provide personal advice to only wholesale clients | 1,616,129 |
| 21 | Licensees that provide personal advice to retail clients on only products that are not relevant financial products  | 90,901 |
| 22 | Listed corporations |  57,418,413  |
| 23 | Managed discretionary account providers  | 961,795 |
| 24 | Margin lenders | 4,517 |
| 24A | New specialised market operators | 12,716 |
| 25 | Operators of investor directed portfolio services  | 131,556 |
| 25A | Operators of notified foreign passport funds and regulated former notified funds | 5,295 |
| 26 | Overseas market operators | 443,598 |
| 27 | Over-the-counter traders | 5,074,859 |
| 28 | Payment product providers | 5,240,526 |
| 29 | Public companies (unlisted) | 4,148,116 |
| 30 | Registered company auditors | 3,132,214 |
| 31 | Registered liquidators  | 7,481,213 |
| 32 | Responsible entities  | 28,114,632 |
| 33 | Retail over-the-counter derivatives issuers  | 16,239,386 |
| 34 | Risk management product providers | 100,282 |
| 35 | Securities dealers | 5,168,704 |
| 36 | Small and medium amount credit providers | 7,103,088 |
| 38 | Small futures exchange operators  | 63,438 |
| 39 | Small securities exchange operators  | 533,062 |
| 40 | Small securities exchange operators with self-listing function only | 0  |
| 41 | Superannuation trustees | 26,428,308 |
| 42 | Tier 1 clearing and settlement facility operators | 3,340,833 |
| 43 | Tier 2 clearing and settlement facility operators | 91,881 |
| 44 | Tier 3 clearing and settlement facility operators | 28,411 |
| 45 | Tier 4 clearing and settlement facility operators | 0 |
| 46 | Traditional trustee company service providers | 493,685 |
| 47 | Wholesale electricity dealers | 200,956 |
| 48 | Wholesale trustees | 1,757,056 |