



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Superannuation and Schemes: Underlying Investments) Instrument 2016/378

About this compilation

Compilation No. 1

This is a compilation of *ASIC Corporations (Superannuation and Schemes: Underlying Investments) Instrument 2016/378* as in force on 1 July 2021. It includes any commenced amendment affecting the legislative instrument to that date.

This compilation was prepared by the Australian Securities and Investments Commission.

The notes at the end of this compilation (the *endnotes*) include information about amending instruments and the amendment history of each amended provision.

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Superannuation and Schemes: Underlying Investments) Instrument 2016/378*.

3 Authority

This instrument is made under subsections 926A(2) and 951B(1) of the *Corporations Act 2001*.

4 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

superannuation entity has the same meaning as in subsection 10(1) of the *Superannuation Industry (Supervision) Act 1993*.

Part 2—Exemptions

5 Licensing: Registrable superannuation entities

- (1) A person in the capacity of the trustee of a registrable superannuation entity does not have to comply with subsection 911A(1) of the Act for dealing in a financial product (other than an interest in the entity) in the ordinary course of operation of the entity.
- (2) The exemption in subsection (1) applies until 31 December 2022.

6 Financial Services Guides: superannuation entities and registered schemes

Superannuation entities

- (1) A person in the capacity of the trustee of a superannuation entity does not have to comply with the requirement in section 941A of the Act to the extent that it requires the trustee to provide a Financial Services Guide to a member of the entity for dealing by the trustee in financial products in the ordinary course of operation of the entity.

Registered schemes

- (2) A responsible entity of a registered scheme does not have to comply with the requirement in section 941A of the Act to the extent that it requires the responsible entity to provide a Financial Services Guide to a member of the scheme for dealing by the responsible entity in financial products in the ordinary course of operation of the scheme.

Endnotes

Endnote 1—Instrument history

Instrument number	Date of FRL registration	Date of commencement	Application, saving or transitional provisions
2021/550	18/6/2021 (<i>see</i> F2021L00780)	1/7/2021	

Endnote 2—Amendment history

ad. = added or inserted am. = amended LA = *Legislation Act 2003* rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Section 2	rep. LA s 48D
Section 4 (definition of <i>public offer entity</i>)	rep. 2021/550
Section 5	rs. 2021/550