

**Australian Securities and Investments Commission**  
**Corporations Act 2001 — Subparagraphs 912A(2)(a)(i) and 1017G(2)(a)(i) —**  
**Approval**

**Enabling legislation**

1. The Australian Securities and Investments Commission (**ASIC**) makes this instrument under subparagraphs 912A(2)(a)(i) and 1017G(2)(a)(i) of the *Corporations Act 2001* (the **Act**).

**Title**

2. This instrument is ASIC Class Order [CO 09/339].

**Commencement**

3. This instrument commences on the date it is registered under the *Legislative Instruments Act 2003*.

Note: An instrument is registered when it is recorded on the Federal Register of Legislative Instruments (**FRLI**) in electronic form: see *Legislative Instruments Act 2003*, s 4 (definition of **register**). The FRLI may be accessed at <http://www.frli.gov.au/>.

**Approval**

4. ASIC approves the following standards and requirements in relation to an internal dispute resolution procedure:
  - (a) the procedure covers a “complaint” as defined in AS ISO 10002—2006;
  - (b) the “Guiding principles” in section 4 of AS ISO 10002—2006;
  - (c) the following sections of AS ISO 10002—2006:
    - (i) section 5.1—Commitment;
    - (ii) section 6.4—Resources;
    - (iii) section 8.1—Collection of Information;
    - (iv) section 8.2—Analysis and evaluation of complaints;
  - (d) the procedure must include adequate measures for informing complainants about the availability and accessibility of an external dispute resolution scheme of which the relevant person is a member.
5. Until 31 December 2009, ASIC approves the following standards and requirements in relation to an internal dispute resolution procedure:
  - (a) the “Essential elements of effective complaints handling” in section 2 of AS 4269—1995;

- (b) the procedure is documented so as to:
  - (i) ensure that a person, complainant or otherwise, will be able to find out how and by whom a complaint will be handled and what further rights a complainant will have if a complainant continues to be dissatisfied; and
  - (ii) assist in the training of, and provide guidance to, employees or agents of the relevant person to handle complaints;
- (c) the procedure must include adequate measures for informing complainants about the availability and accessibility of an external dispute resolution scheme of which the relevant person is a member.

### **Interpretation**

In this instrument:

**AS 4269—1995** means Australian Standard AS 4269—1995 known as *Complaints handling* published by Standards Australia as in force as at 5 February 1995.

**AS ISO 10002—2006** means Australian Standard AS ISO 10002—2006 known as *Customer Satisfaction—Guidelines for complaints handling in organizations* published by Standards Australia as in force as at 5 April 2006.

**external dispute resolution scheme** means a scheme set out in ASIC Class Order [CO 09/340].

**relevant person** means a person subject to subsections 912A(1) or 1017G(1) of the Act as applicable.

Dated this 13th day of May 2009

Signed by Brendan Byrne  
as a delegate of the Australian Securities and Investments Commission