

ASIC Class Order [CO 10/630]

Long-term superannuation returns

This instrument has effect under s1020F(1)(c) of the *Corporations Act 2001*.

This compilation was prepared on 14 December 2015 taking into account amendments up to ASIC Corporations (Amendment) Instrument 2015/1073 that commenced on 10 December 2015. See the table at the end of this class order.

Prepared by the Australian Securities and Investments Commission.

Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 1020F(1)(c) — Declaration

Enabling legislation

1. The Australian Securities and Investments Commission makes this instrument under paragraph 1020F(1)(c) of the *Corporations Act 2001 (Act)*.

Title

2. This instrument is ASIC Class Order [CO 10/630].

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/>.

Declaration

4. Part 7.9 of the Act applies in relation to all persons as if Part 7.9 of the *Corporations Regulations 2001 (Regulations)* were modified or varied as follows:

- (a) after subregulation 7.9.20AA(1) insert:

"(1A) This regulation does not apply in any of the following circumstances:

- (a) the superannuation product is a non-investment or accumulation life insurance policy that is offered through the regulated superannuation fund;
- (b) the superannuation product has no investment component (also known as a risk-only superannuation product);
- (c) the statement is a periodic statement to be given to a member of the regulated superannuation fund for a reporting period mentioned in paragraph 1017D(2)(d) of the Act."

- (b) in the subheading to subregulation 7.9.20AA(2), omit "2010", substitute "2011";
- (c) in subregulation 7.9.20AA(2):
 - (i) omit "the periodic", substitute "a periodic"; and
 - (ii) omit "2010", substitute "2011";
- (d) in the subheading to subregulation 7.9.20AA(8), omit "2010", substitute "2011";
- (e) in subregulation 7.9.20AA(8) omit "2010", substitute "2011";
- (f) omit subregulation 7.9.75BA(1), substitute:

"(1) For paragraph 1017DA(1)(a) of the Act, the trustee of a superannuation entity (other than a self managed superannuation fund) may provide information about:

 - (a) a regulated superannuation fund mentioned in subdivision 5.6 of this Part; or
 - (b) an approved deposit fund mentioned in subdivision 5.6 of this Part; or
 - (c) a pooled superannuation trust mentioned in subdivision 5.7 of this Part;

to a holder by making it available on a website that is maintained by or on behalf of the trustee."

Interpretation

6. In this instrument:

approved deposit fund has the meaning given by subsection 10(1) of the Superannuation Industry (Supervision) Act 1993.

pooled superannuation trust has the meaning given by subsection 10(1) of the Superannuation Industry (Supervision) Act 1993.

regulated superannuation fund has the meaning given by subsection 19(1) of the Superannuation Industry (Supervision) Act 1993.

self managed superannuation fund has the meaning given by section 17A of the Superannuation Industry (Supervision) Act 1993.

superannuation entity has the meaning given by subsection 10(1) of the Superannuation Industry (Supervision) Act 1993.

superannuation product means a superannuation interest as defined in subsection 10(1) of the Superannuation Industry (Supervision) Act 1993.

Notes to ASIC Class Order [CO 10/630]

Note 1

ASIC Class Order [CO 10/630] (in force under s1020F(1)(c) of the *Corporations Act 2001*) as shown in this compilation comprises that Class Order amended as indicated in the tables below.

Table of Instruments

Instrument number	Date of FRLI registration	Date of commencement	Application, saving or transitional provisions
[CO 10/630]	19/7/2010 (<i>see</i> F2010L02110)	19/7/2010	
[CO 11/554]	15/7/2011 (<i>see</i> F2011L01507)	15/7/2011	-
[CO 12/622]	12/7/2012 (<i>see</i> F2012L01538)	12/7/2012	-
[CO 13/752]	15/7/2013 (<i>see</i> F2013L01385)	15/7/2013	-
[CO 14/425]	26/5/2014 (<i>see</i> F2014L00605)	26/5/2014	-
No. 349, 2015	28/4/2015 (<i>see</i> F2015L00600)	29/4/2015	-
2015/1073	9/12/2015 (<i>see</i> F2015L01953)	10/12/2015	-

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Subpara 5(b).....	am. [CO 11/554]; [CO 12/622]; [CO 13/752]; [CO 14/425] and No. 349, 2015
Para 5.....	rep. 2015/1073