

ASIC Class Order [CO 14/443]

Compilation No. 5

This is a compilation of ASIC Class Order [CO 14/443] as in force on 6 April 2019. 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.

Prepared by the Australian Securities and Investments Commission.

Australian Securities and Investments Commission Corporations Act 2001 — Subsection 1020F(1) — Exemption and Declaration

Enabling legislation

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

Title

2. This instrument is ASIC Class Order [CO 14/443].

Exemption

Deferral of obligation of trustees to make product dashboards for choice products publicly available

4. A trustee of a regulated superannuation fund that has 5 or more members does not have to comply with subsection 1017BA(1) of the Act in relation to choice products until 1 July 2023.

Deferral of obligations of trustees to make information relating to investment of assets publicly available

5. A trustee of a registrable superannuation entity (other than a pooled superannuation trust) does not have to comply with subsection 1017BB(1) of the Act in relation to a reporting day occurring before 31 December 2019.

Deferral of obligations of second parties to provide information relating to investment of assets

6. A second party does not have to comply with subsection 1017BC(3) of the Act in relation to a reporting day occurring before 1 July 2019.

Declaration

Deferral of obligations of first parties and agents to give notice relating to investment of

assets

7. Part 7.9 of Chapter 7 of the Act applies in relation to a Division 3 first party and an agent as if that Part were modified or varied as follows:
 - (a) in subsection 1017BC(2), omit “at the time the arrangement is entered into”, substitute “on or before 1 July 2019”;
 - (b) in subsections 1017BD(2) and 1017BE(2), omit “at the time the core arrangement is entered into”, substitute “on or before 1 July 2019”.
8. The declaration in paragraph 7 applies in relation to an arrangement entered into between commencement of this instrument and 30 June 2019 (inclusive).

Interpretation

9. In this instrument:

agent has the same meaning as in subsection 1017BC(4) of the Act.

arrangement means an arrangement to which section 1017BC, 1017BD or 1017BE of the Act applies.

choice product has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

Division 3 first party means a person who is a ***first party*** for the purposes of section 1017BC, 1017BD or 1017BE of the Act.

registrable superannuation entity has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

reporting day has the same meaning as subsection 1017BB(6) of the Act.

regulated superannuation fund has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

second party has the same meaning as in subsection 1017BC(1) of the Act.

Notes to ASIC Class Order [CO 14/443]

Note 1

ASIC Class Order [CO 14/443] (in force under s1020F(1) 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 FRL registration	Date of commencement	Application, saving or transitional provisions
[CO 14/443]	16/5/2014 (<i>see</i> F2014L00594)	16/5/2014	
No 338, 2015	24/4/2015 (<i>see</i> F2015L00586)	25/4/2015	-
2016/351	27/4/2016 (<i>see</i> F2016L00575)	28/4/2016	-
2016/364	3/5/2016 (<i>see</i> F2016L00631)	4/5/2016	-
2017/569	23/6/2017 (<i>see</i> F2017L00742)	24/6/2017	-
2019/240	5/4/2019 (<i>see</i> F2019L00541)	6/4/2019	-

Table of Amendments

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

Provision affected	How affected
Para 3	rep. s48D LA
Para 4	am. No. 338, 2015; 2016/351; 2017/569 and 2019/240
Para 5	am. No. 338, 2015; 2016/351 and 2017/569
Para 6	am. No. 338, 2015; 2016/351 and 2017/569
Para 7(a)	am. No. 338, 2015; 2016/351 and 2017/569
Para 7(b)	am. No. 338, 2015; 2016/351 and 2017/569
Para 8	am. No. 338, 2015; 2016/351; 2016/364 and 2017/569