



ASIC

Australian Securities & Investments Commission

ASIC Corporations (Miscellaneous Technical Relief) Instrument 2015/1115

About this compilation

Compilation No. 2

This is a compilation of *ASIC Corporations (Miscellaneous Technical Relief) Instrument 2015/1115* as in force on 28 September 2017. 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 instrument is *ASIC Corporations (Miscellaneous Technical Relief) Instrument 2015/1115*.

3 Authority

This instrument is made under subsections 655A(1), 741(1), 926A(2) and 1020F(1) of the *Corporations Act 2001*.

4 Definitions

In this instrument:

Act means the *Corporations Act 2001*.

Part 2—Declaration

5 Effect of licensing exemptions under section 926A of the Act

(1) Part 7.6 of the Act (other than Divisions 4 and 8) applies in relation to persons that are exempt from the requirement to hold an Australian financial services licence in relation to one or more financial services as if that Part were modified or varied as follows:

(a) at the end of subparagraph 911A(2)(a)(ii) add “or”;

(b) at the end of paragraph 911A(2)(a) add:

“(iii) is exempt from subsection (1) in relation to the provision of the service because of an exemption made under subsection 926A(2);”;

(c) before paragraph 911B(1)(e) insert:

“(da) if the principal (rather than the provider) provided the service, the principal would not need an Australian financial services licence covering the provision of the service because of an exemption made under subsection 926A(2);”;

(d) in paragraph 911B(1)(e), after “licence” insert “covering the provision of the service”.

Note: Paragraph 911B(1)(e) of the Act is also modified by regulation 7.6.02AH of the *Corporations Regulations 2001*.

(2) Part 7.9 of the Act applies in relation to persons that are exempt from the requirement to hold an Australian financial services licence in relation to one or more financial services as if that Part were modified or varied by, at the end of paragraph (f) of the definition of *regulated person* in section 1011B, adding:

“(iv) an exemption made under subsection 926A(2); or”.

6 Consequences of lodging a supplementary or replacement document

(1) Chapter 6 of the Act applies to all persons as if the Chapter were modified or varied by, in section 646, omitting “this Chapter and Chapter 6B” and substituting “this Chapter, Chapter 6B and instruments made for the purposes of this Chapter”.

(2) Chapter 6D of the Act applies to all persons as if the Chapter were modified or varied by, in each of subsections 719(4) and (5), 719A(7) to (9) and 738W(8) and (9), after “this Chapter”, inserting “and instruments made for the purposes of this Chapter”.

- (3) Part 7.9 of the Act applies in relation to financial products in relation to which a Product Disclosure Statement is required to be given as if that Part were modified or varied by, in section 1014J, after “this Act”, inserting “and instruments made for the purposes of this Act”.

Endnotes

Endnote 1—Instrument history

Instrument number	Date of FRL registration	Date of commencement	Application, saving or transitional provisions
2015/1115	3/12/2015 (<i>see</i> F2015L01936)	4/12/2015	
2017/580	3/7/2017 (<i>see</i> F2017L00871)	Sch 3: 28/9/2017 Remainder: 4/7/2017	-

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 1	am. 2017/580
Section 2	rep. s48D LA
Section 3	am. 2017/580
Section 5	rs. 2017/580
Section 6	ad. 2017/580
Subsection 6(2)	am. 2017/580