



ASIC
Australian Securities &
Investments Commission

ASIC (Supervisory Cost Recovery Levy— Regulatory Costs) Instrument 2020/1074

I, Emily Hodgson, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 24 November 2020

Emily Hodgson

Contents

Part 1—Preliminary	3
1 Name of legislative instrument	3
2 Commencement and date of effect	3
3 Authority	3
4 Definitions	3
Part 2—Determination	4
5 Applicable financial year	4
6 ASIC’s regulatory costs	4
7 Attribution of ASIC’s regulatory costs to each sub-sector	4

Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC (Supervisory Cost Recovery Levy—Regulatory Costs) Instrument 2020/1074*.

2 Commencement and date of effect

- (1) This instrument commences on the day after it is registered on the Federal Register of Legislation.

Note: The register may be accessed at www.legislation.gov.au.

- (2) This instrument takes effect as follows:

- (a) if subsection 11(3) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the instrument takes effect on the day specified in paragraph 11(3)(a) of that Act;
- (b) if subsection 11(4) of *ASIC Supervisory Cost Recovery Levy Act 2017* applies—the remaining provisions of the instrument take effect on the day specified in paragraph 11(4)(a) of that Act.

Note 1: Section 11 of the *ASIC Supervisory Cost Recovery Levy Act 2017* contains special provisions dealing with the disallowance and taking effect of instruments of this kind.

Note 2: Subsection 10(8) of the *ASIC Supervisory Cost Recovery Levy Act 2017* has the effect that the instrument can have retrospective application before the day it is registered on the Federal Register of Legislation. The register may be accessed at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 12A(6) of the *Australian Securities and Investments Commission Act 2001* for the purposes of subsection 10(2) of the *ASIC Supervisory Cost Recovery Levy Act 2017*.

4 Definitions

In this instrument:

- (a) *Act* means the *ASIC Supervisory Cost Recovery Levy Act 2017*;
- (b) unless the contrary intention appears, an expression that:
- (i) is used, but not defined, in this instrument; and
- (ii) is defined in the Act;

has the same meaning in this instrument as in the Act.

Part 2—Determination

5 Applicable financial year

This determination applies to the 2019–20 financial year.

6 ASIC’s regulatory costs

ASIC’s *regulatory costs* for the financial year are \$320,333,169.

7 Attribution of ASIC’s regulatory costs to each sub-sector

Column 3 of the table specifies the extent to which ASIC’s *regulatory costs* are attributable to the *sub-sector* specified in column 2 of the table.

Column 1 Item	Column 2 Sub-sectors	Column 3 Extent to which regulatory costs are attributable to the sub-sector (\$)
1	Auditors of disclosing entities	7,230,230
2	Australian derivative trade repository operators	405,865
2A	Benchmark administrators	431,139
3	Corporate advisors	4,677,645
4	Credit intermediaries	6,891,829
5	Credit providers	27,307,232
6	Credit rating agencies	245,059
7	Custodians	558,233
8	Deposit product providers	3,090,298
8AA	Entities subject to close and continuous monitoring	6,354,427
8A	Established specialised market operators	587,790
9	Exempt CS facility operators	5,217
10	Exempt market operators	32,777
11	Insurance product distributors	3,875,918
12	Insurance product providers	18,130,234
13	Large futures exchange operators	1,512,566
14	Large futures exchange participants	5,101,159
15	Large proprietary companies	3,931,738
16	Large securities exchange operators	4,191,658
17	Large securities exchange participants	19,849,379
18	Licensees that provide only general advice to retail clients or wholesale clients	2,088,961
19	Licensees that provide personal advice on relevant financial products to retail clients	56,189,146
20	Licensees that provide personal advice to only wholesale clients	47,579
21	Licensees that provide personal advice to retail clients on only products that are not relevant financial products	1,264,177
22	Listed corporations	51,021,031
23	Managed discretionary account providers	1,091,565

Column 1	Column 2	Column 3
Item	Sub-sectors	Extent to which regulatory costs are attributable to the sub-sector (\$)
24	Margin lenders	128,972
24A	New specialised market operators	44,714
25	Operators of investor directed portfolio services	705,271
25A	Operators of notified foreign passport funds and regulated former notified funds	0
26	Overseas market operators	236,337
27	Over-the-counter traders	9,660,547
28	Payment product providers	1,315,252
29	Public companies (unlisted)	4,954,663
30	Registered company auditors	3,097,293
31	Registered liquidators	6,138,870
32	Responsible entities	23,768,714
33	Retail over-the-counter derivatives issuers	10,384,059
34	Risk management product providers	281,160
35	Securities dealers	1,390,596
36	Small and medium amount credit providers	2,023,090
38	Small futures exchange operators	483,624
39	Small securities exchange operators	470,482
40	Small securities exchange operators with self-listing function only	1,985
41	Superannuation trustees	23,815,577
42	Tier 1 clearing and settlement facility operators	1,936,457
43	Tier 2 clearing and settlement facility operators	219,484
44	Tier 3 clearing and settlement facility operators	99,067
45	Tier 4 clearing and settlement facility operators	7,202
46	Traditional trustee company service providers	418,159
47	Wholesale electricity dealers	28,220
48	Wholesale trustees	2,610,522