



ASIC
Australian Securities &
Investments Commission

ASIC Corporations (Amendment) Instrument 2023/24

I, Anthony Graham, delegate of the Australian Securities and Investments Commission, make the following legislative instrument.

Date 25 January 2023

Anthony Graham

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Part 1—Preliminary

1 Name of legislative instrument

This is the *ASIC Corporations (Amendment) Instrument 2023/24*.

2 Commencement

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.

3 Authority

This instrument is made under subsection 1020F(1) of the *Corporations Act 2001*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

ASIC Corporations (Short Selling) Instrument 2018/745

1 Section 11 (notional subsection 1020B(7H))

Repeal the notional subsection, substitute:

“(7H) A person must only, in this jurisdiction, sell section 1020B products to a buyer on a licensed market during a deferred settlement trading period if, at the time of the sale:

- (a) the person is or, if the person is selling on behalf of another person, that other person is; or
- (b) the person believes on reasonable grounds that the person is or, if the person is selling on behalf of another person, that other person is;

in a class of persons who, because such persons hold financial products of a particular class, have an entitlement to be issued with or transferred the section 1020B products under or in connection with the corporate action.”.