Explanatory Statement

ASIC Corporations (Amendment) Instrument 2026/772

This is the Explanatory Statement for *ASIC Corporations (Amendment) Instrument 2026/772* (***Instrument***).

The Explanatory Statement is approved by the Australian Securities and Investments Commission (***ASIC***).

Summary

1. The Instrument makes technical amendments to correct out-of-date-references in the following instruments:

   (a) *ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/^778* (***Instrument 2020/778***);

   (b) *ASIC Corporations (Share and Interest Purchase Plans) Instrument 2019/547* (***Instrument 2019/547***); and

   (c) *ASIC Corporations (Auditing) Instrument 2026/469* (***Instrument 2026/469***).

2. The Instrument also includes *ASIC Corporations (Wholly-owned Companies) Instrument 2026/533* (***Instrument 2026/533***) in the definition of '*technical relief instrument'* in *ASIC Corporations (Annual and Half-year Reporting) Instrument 2026/468* (***Instrument 2026/468***).

Purpose and operation of the instrument

Amendment to Instrument 2020/778

3. Item 1 of Scheule 1 amends Instrument 2020/778 to make necessary updates to correct out-of-date references to *ASIC Corporations (Attribution Managed Investment Trusts) Instrument 2016/489* (***Instrument 2016/489***) which has been repealed and replaced by *ASIC Corporations (Attribution Managed Investment Trusts) Instrument 2026/726* (***Instrument 2026/726***).

Amendment to Instrument 2019/547

4. Item 2 of Schedule 1 amends Instrument 2019/547 to make necessary updates to correct out-of-date references to *ASIC Corporations (Disregarding Technical*

Relief) Instrument 2026/180 (***Instrument 2026/180***) which has been repealed and incorporated into Instrument 2026/468.

Amendment to Instrument 2026/468

5. Item 3 of Schedule 1 amends Instrument 2026/468 to include Instrument 2026/533 in the definition of '*technical relief instrument'* to ensure entities relying on Instrument 2026/533 can continue to rely on certain disclosure concessions under Chapter 6D and Part 7.9 of the *Corporations Act 2001* (the ***Act***).

Amendment to Instrument 2026/469

6. Items 4–7 of Schedule 1 amend Instrument 2026/469 to make necessary updates to correct out-of-date references to *ASIC Corporations (Wholly-owned Companies) Instrument 2016/785* which has been repealed and replaced by Instrument 2026/533.

Commencement

7. The Instrument commences on the day after it is registered on the Federal Register of Legislation.

Consultation

8. ASIC did not consult on this Instrument as it contains minor, technical amendments to correct outdated references.

Legislative instrument and primary legislation

9. The subject matter and policy implemented by the Instrument is more appropriate for a legislative instrument rather than primary legislation because it amends legislative instruments made by ASIC.

Duration of the instrument

10. The amendments made by the Instrument do not affect the duration of Instrument 2020/778, Instrument 2019/547, Instrument 2026/468 or Instrument 2026/469.

11. The Instrument will be repealed under section 48A of the *Legislation Act 2003*.

Legislative authority

12. The Instrument is made under subsections 341(1), 601QA(1), 741(1) and 1020F(1) of the Act.

13. Under subsection 33(3) of the *Acts Interpretation Act 1901*, where an Act confers a power to make any instrument, the power is to be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend or vary any such instrument.

Authorised Version Explanatory Statement registered 01/10/2026 to F2026L01343

14. Under section 342 of the Act, before making an order under section 341, ASIC must be satisfied that complying with the relevant requirements of Parts 2M.2, 2M.3 and 2M.4 would make the financial report, sustainability report or other reports misleading, be inappropriate in the circumstances, or impose unreasonable burdens. ASIC is satisfied that it would be inappropriate for entities to continue to rely on the incorrect references in Instrument 2026/468 and Instrument 2026/469 if they were not corrected by the Instrument.

15. The Instrument is a disallowable legislative instrument.

Statement of Compatibility with Human Rights

16. The Explanatory Statement for a disallowable legislative instrument must contain a Statement of Compatibility with Human Rights under subsection 9(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011.* A Statement of Compatibility with Human Rights is in the Attachment.

Authorised Version Explanatory Statement registered 01/10/2026 to F2026L01343

Attachment

Statement of Compatibility with Human Rights

This Statement of Compatibility with Human Rights is prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

ASIC Corporations (Amendment) Instrument 2026/772

Overview

1. The *ASIC Corporations (Amendment) Instrument 2026/772* (***Instrument***) amends *ASIC Corporations (Auditing) Instrument 2026/469, ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778* and *ASIC Corporations (Share and Interest Purchase Plans) Instrument 2019/547* to correct out-of-date references.

2. The Instrument also includes *ASIC Corporations (Wholly-owned Companies) Instrument 2026/533* in the definition of '*technical relief instrument*' in *ASIC Corporations (Annual and Half-year Reporting) Instrument 2026/468*.

Assessment of human rights implications

3. This instrument does not engage any of the applicable rights or freedoms.

Conclusion

4. This instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Authorised Version Explanatory Statement registered 01/10/2026 to F2026L01343