

EXPOSURE DRAFT



EXPOSURE DRAFT

Treasury Laws Amendment (Transition of Chi-X to National Guarantee Fund) Regulations 2019

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 2019

Peter Cosgrove
Governor-General

By His Excellency's Command

Stuart Robert **DRAFT ONLY—NOT FOR SIGNATURE**
Assistant Treasurer

EXPOSURE DRAFT

EXPOSURE DRAFT

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
	Schedule 1—Amendments	2
	<i>Corporations Regulations 2001</i>	<i>2</i>

EXPOSURE DRAFT

1 Name

This instrument is the *Treasury Laws Amendment (Transition of Chi-X to National Guarantee Fund) Regulations 2019*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

EXPOSURE DRAFT

Schedule 1 Amendments

Schedule 1—Amendments

Corporations Regulations 2001

1 At the end of Division 4 of Part 7.5

Add:

7.5.85A Transitional provision for joining of Chi-X

- (1) This regulation is made for the purposes of section 891B of the Act.
- (2) This regulation applies in relation to a joining market (within the meaning of that section) if:
 - (a) the market is operated by Chi-X Australia Pty Ltd, or by a subsidiary of Chi-X Australia Pty Ltd; and
 - (b) the day on which Chi-X Australia Pty Ltd becomes a member of the SEGC (the *joining day*) is on or after the commencement of this regulation.
- (3) Compensation may be claimed under a provision of these Regulations set out in column 1 of the following table in respect of a loss that is:
 - (a) connected with the joining market; and
 - (b) not connected with any other financial market to which Division 4 of Part 7.5 of the Act applies;only if the loss meets the transitional condition set out in column 2 of that table item.

Joining of Chi-X—transitional conditions for compensation claims

Item	Column 1 Provision	Column 2 Transitional condition
1	Regulation 7.5.24, 7.5.25, 7.5.26 or 7.5.27 (about contract guarantees)	The prescribed period for the relevant reportable transaction ends on or after the joining day.
2	Regulation 7.5.54 or 7.5.55 (about unauthorised transfers)	The unauthorised execution occurs on or after the joining day.
3	Regulation 7.5.64 (about claims in respect of insolvent participants)	The time at which the dealer becomes insolvent is on or after the joining day.
