



ASIC
Australian Securities &
Investments Commission

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Ms Joanna Abhayaratna
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Department of the Prime Minister and Cabinet
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ASIC DERIVATIVE TRANSACTION RULES (CLEARING) 2015

Dear Ms Abhayaratna

I am writing to the Office of Impact Analysis (OIA) regarding the ASIC Derivative Transaction Rules (Clearing) 2015 (the Clearing Rules), which, as per the Legislation Act 2003, had been scheduled to sunset on 1 April 2026. However, it has been decided that the Clearing Rules are to be remade without significant amendment.

In lieu of a detailed Impact Analysis for remaking the Clearing Rules, the Australian Securities and Investments Commission (ASIC) certifies that the Clearing Rules are operating effectively and efficiently, and that therefore an Impact Analysis is not required for the Clearing Rules to be remade.

The assessment that the Clearing Rules are operating effectively and efficiently has been informed by a consultation process which involved Simple Consultation 33: *Proposed remake of the ASIC Derivative Transaction Rules (Clearing) 2015 (CS 33)* over the period 28 October 2025 to early December 2025. ASIC received three submissions in response to CS 33, one from an industry association and two from service providers. Feedback was supportive of the proposed remake of the Clearing Rules and provided some suggested updates limited to the drafting of the exception in relation to post-trade risk reduction exercises which have largely been adopted.

As ASIC is remaking the Clearing Rules without significant changes, we assess that there is no change to the regulatory burden to business, community organisations or individuals.

I acknowledge that the OIA will publish this letter for transparency purposes.

Yours sincerely

JOSEPH LONGO
CHAIR