



Notification Obligations for Participants

Participants Compliance
2023

Participants Notifications - Overview

This module has been designed to provide a reminder of the key participant **notification obligations** across the ASX operating rulebooks and related procedures, as well as the method of providing these notifications to ASX.

This module will cover the obligations under:

- Guidance Note 8 – Notification Obligations
- Guidance Note 9 – Offshoring and Outsourcing
- Guidance Note 10 – Business Continuity and Disaster Recovery
- Guidance Note 13 – Managing Liquidity Requirements

References:

ASX Guidance Notes 8 – Notification Obligations

- [ASX Operating Rules - GN 8](#)
- [ASX 24 Operating Rules - GN 8](#)
- [ASX Clear Futures Operating Rules - GN 8](#)
- [ASX Clear Operating Rules - GN 8](#)
- [ASX Settlement Operating Rules - GN 8](#)

ASX Guidance Note 9 – Offshoring and Outsourcing

- [ASX Operating Rules - GN 9](#)
- [ASX 24 Operating Rules - GN 9](#)
- [ASX Clear Futures Operating Rules - GN 9](#)
- [ASX Clear Operating Rules - GN 9](#)
- [ASX Settlement Operating Rules - GN 9](#)

ASX Guidance Note 10 – Business Continuity and Disaster Recovery

- [ASX Clear Futures Operating Rules - GN 10](#)
- [ASX Clear Operating Rules – GN 10](#)
- [ASX Settlement Operating Rules - GN10](#)

ASX Guidance Note 13 – Managing Liquidity Requirements

- [ASX Clear Operating Rules – GN 13](#)

Why are Notifications Required?

- Participants have ongoing obligations to inform ASX of changes and specific matters in relation to their business activities under the relevant ASX Operating Rules.
- It is important that Participants notify ASX of these matters within the prescribed time outlined in the relevant ASX Operating Rules and associated procedures.
- This information assists ASX to monitor the Participant's Compliance with the ASX operating rulebooks and supervise ASX's markets, clearing and settlement facilities.



Notification Requirements

Notification Requirements are set out in Guidance Notes 8, 9, 10 and 13 and have various timeframes which should be followed. Participants should use ASX's notification functionality 'participant forms' on ASX Online to submit the following notifications within the timeframes mentioned:

Key:
 # Clearing Participants only
 * Settlement Participants only

Notification Timeframes¹

Immediately	Annually	Within set business days	Before becoming effective	Other timeframes
Audit of Internal Controls#	ASX 24 NZ Participant Attestation	Auditor Change#	Business Name Change	Agent for Service - Appointment or Resignation
Controller - Change#	Annual Group Structure Chart#	Client Trust Account and Segregated Account Reconciliation#	Business Address Change	AOP - New and Further Certification
Incomplete, Inaccurate or Misleading Information	AOP Annual Notification	Director Change		Capacity to communicate with ASX#*
Legal Proceedings	Managed Fund Settlement Service Annual Certification	Intention to Cease Clearing Market Transaction#		Clearing Agreement or Amendments
Licence or Other Authorisation	OTC Annual Attestation#	Managed Fund Settlement Service Certifications		Direct Participant - Wholly-Owned Group Entity Notification#
Material Change to Business		Reconciliation of Accumulation Account and other Holdings*		Intellectual Property Rights Indemnity#
PI Insurance Claims#		Regulatory Action		Intention to Cease Clearing Market Contract#
Self Reporting - Significant Breach				Overseas Activity (Offshoring)
Transfers to Facilitate Settlement*				



¹ **NOTE:** The above table sets out the general obligations for Participants across each of the ASX facilities.

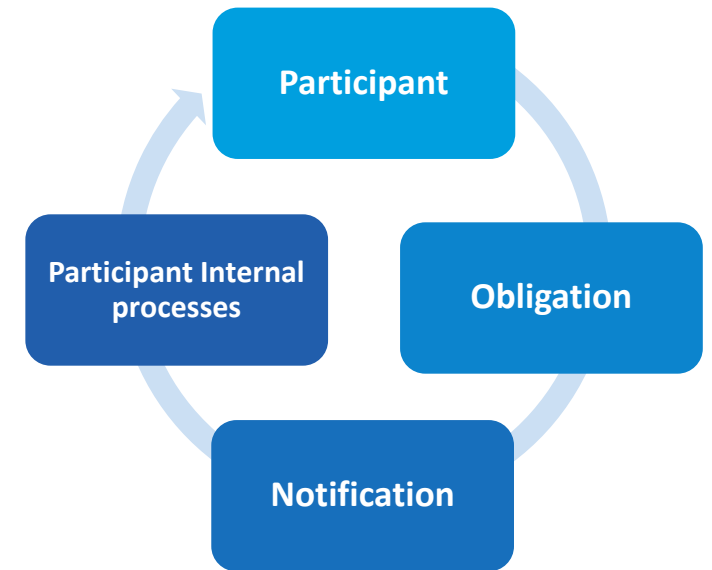
A PDF [list of participant forms](#) that should be submitted to ASX using the participant forms facility on ASX Online can be downloaded using the link

Reviewing your arrangements - Summary

Do you have appropriate arrangements in place to ensure you can comply with your participant notification obligations?

ASX expects participants to:

- ✓ Monitor ASX Online Enterprise Administrator and User access to ensure all relevant staff are able to provide notifications
- ✓ Deliver training to relevant internal stakeholders on ASX notification requirements
- ✓ Review procedures and processes to ensure applicable participant notification obligations are included
- ✓ Set reminders for time-based notification obligations
- ✓ Ensure ASX Online Forms are submitted upon completion



Key Notification Requirements

Over the following four slides we will outline some key notification obligation² scenarios being;

- Notification of Regulatory Action
- Notification of Non Compliance - Transfer to Facilitate Settlement
- Change of Director
- Change of Business Address
- Nominated officer responsible for liquidity management

² **NOTE:** It is important that Participants notify ASX of these matters within the prescribed time outlined in the relevant ASX Operating Rules and associated procedures.



Finalising a ASX Online Notification Form does not necessarily mean that a breach has not occurred if the notification has been submitted late.

Notification of Regulatory Action



Participant

A participant has been informed by a regulatory body that action is being or may be taken against it.



Timeframe

The notification must be submitted to ASX **on or before the next business day**. Notifications can be sent via ASX Online using the **ASX Online Participant Form – Regulatory Action**.



ASX

ASX Review

ASX will review the form that has been submitted and when it has been finalised it will appear in Historical compliance forms on ASX Online

In accordance with:

ASX & ASX 24 Operating Rules
(1400(e) – Ongoing Requirements)

ASX Clear Operating Rules
(4.7.1(e) - General notification requirements)

ASX Settlement Operating Rules
(12.18.1(c) – Notice of Non Compliance)

ASX & ASX 24 Operating Rules Procedure
(1400(e) 3 – Regulatory action)

ASX Clear Futures Operating Rules
(4.14(n) - General Conduct of Clearing Participants)



Notification of Non Compliance

Transfer to Facilitate Settlement:



Participant

A participant has breached ASX Settlement Operating Rule 6.3B1 to 6.3B6.



Timeframe

The notification must be submitted to ASX Settlement **immediately upon it becoming aware of the breach**. Notifications can be sent via ASX Online using the **ASX Online Participant Form – Transfers to Facilitate Settlement**



ASX

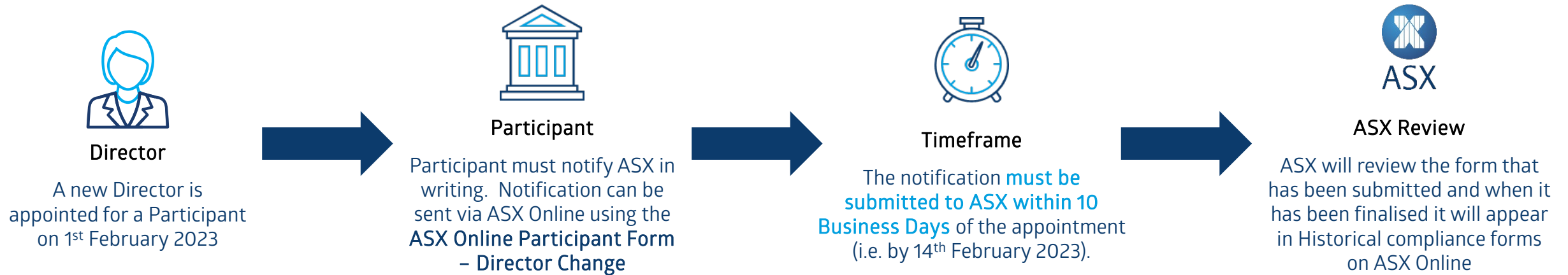
ASX Review

ASX will review the form that has been submitted and when it has been finalised it will appear in Historical compliance forms on ASX Online

In accordance with:

- ASX Settlement Operating Rules (6.3B) - Transfers to facilitate settlement
- (6.3B.9) – Notification of non-compliance)
- (12.18.1(c) – Notice of Non Compliance)

Change of Director



In accordance with:

ASX & ASX 24 Operating Rules
(1400(e) - Ongoing Requirements)

ASX Clear Operating Rules
(4.7.1(c) - General notification requirements)

ASX & ASX 24 Operating Rules Procedure
(1400(e) 2(a) - Change of Directors, licence..)

ASX Clear Futures Operating Rules
(4.14(d) - General Conduct of Clearing Participant)



Change of Business Address



Participant

Participants must notify ASX in writing. Notification can be sent via ASX Online using the **ASX Online Participant Form – Director Change**



Timeframe

The notification must be submitted to ASX **before the change becomes effective.**



ASX Review

ASX will review the form that has been submitted and when it has been finalised it will appear in Historical compliance forms on ASX Online

In accordance with:

ASX & ASX 24 Operating Rules
(1400(e) – Ongoing Requirements)

ASX Clear Operating Rules
(4.7.1(b) - General notification requirements)

ASX Settlement Operating Rules
(4.6.1(b) – Notification of change of details)

ASX & ASX 24 Operating Rules Procedure
(1400(e) 1(b) – Change of name or address)

ASX Clear Futures Operating Rules
(4.14(c)(ii) - General Conduct of Clearing Participants)



Nominated Officer responsible for Liquidity Management



Nominated Officer

A new Nominated Officer is appointed for an ASX Clearing Participant (or subsequently departs)



Participant

Participant Notification must be made by email to: CRATeam@asx.com.au.



Timeframe

The notification **must be submitted to ASX within 10 Business Days** of the change occurring.

In accordance with:

ASX Clear Guidance Note 13

(5.1 Nominated officer responsible for liquidity management)



Other Notification Requirements

The following slides outline some other obligations³ that are covered under Guidance Note 9 and 10.⁴

- Offshoring and Outsourcing
- Business Continuity and Disaster Recovery

³ **NOTE:** It is important that Participants notify ASX of these matters within the prescribed time outlined in the relevant ASX Operating Rules and associated procedures.



Participants should ensure notifications are provided as soon as the changes are proposed to allow time for any additional information requests ASX may have in relation to these changes.

Participants must obtain and maintain all necessary regulatory approvals in respect of overseas activity & provide a copy of those regulatory approvals to ASX upon request.

⁴ **NOTE:** Guidance Note 10 is only applicable for ASX Clear, ASX Clear Futures & ASX Settlement Operating Rules.

Guidance Note 9 – Offshoring and Outsourcing

Overseas activity:



Participant

A participant that proposes to locate any part of its business as a participant outside Australia⁵



Timeframe

The notification must be submitted to ASX **prior to the change becoming effective.**



ASX

Notification Method

The Notification can be sent via ASX Online using the **ASX Online Participant Form – Overseas Activity**

Material Change:



Participant

A participant that proposes to enter into or terminate a material offshoring or outsourcing arrangement is considered by ASX to be a material change.



Timeframe

The notification must be submitted to ASX **immediately.**



ASX

Notification Method

The Notification can be sent via ASX Online using the **ASX Online Participant Form – Material change**



⁵NOTE: This applied whether the overseas activity is being conducted by the participant itself, or under an outsourcing arrangement" (see Guidance Note 9 – 9. Notification of offshoring and material outsourcing arrangements to ASX)

Guidance Note 10 – Business Continuity and Disaster Recovery

Disruption or Outage Notification :



Participant

A participant becomes aware of a disruption that causes the participant to engage its BCP. Or any outage that is likely to be a significant outage.



Timeframe

The notification must be submitted to ASX **as soon as reasonably practicable** after BCP is invoked. Or **as soon as it becomes apparent that there is, or is likely to be, a significant outage** (regardless of whether it has engaged its BCP).



Notification Method

A notification should be made to the relevant teams at ASX (depending on the nature of the disruption or outage) either via phone call or email.

Please see [Guidance Note 10](#) for further details

In accordance with:

ASX Settlement Operating Rules
(4.6 – Notification Requirements)

ASX Clear Operating Rules
(4.7.1(f) - General notification requirements)

ASX Clear Futures Operating Rules
(4.14(o) - General Conduct of Clearing Participants)

ASX Settlement Guidance Note 10
(4.15 – Notification Requirements)

ASX Clear Guidance Note 10
(4.15 – Notification requirements)

ASX Clear Futures Guidance Note 10
(4.15 – Notification Requirements)



Guidance Note 10 – Business Continuity and Disaster Recovery

Significant Breach:



Participant

A participant identifies a significant breach including a significant breach of, or non-compliance with, the disaster recovery and business continuity requirements



Timeframe

The notification must be submitted to ASX **immediately on becoming aware of the breach.**



ASX

Notification Method

The Notification can be sent via ASX Online using the **ASX Online Participant Form – Self Reporting including Significant Breach**

Nominated Business Continuity Officer :



Nominated Officer

A new Nominated Business Continuity Officer is appointed for a Participant



Participant

Participant Notification must be made by email to: review.team@asx.com.au.



Timeframe

The notification **must be submitted to ASX within 10 Business Days** of the change occurring.

How to send Participant notifications to ASX via ASX Online (Participant Forms)

The [ASX Online Participants Forms User Guide](#) is available to help participants navigate through the participant forms facility.

Step 1: To access ASX Online, check that:

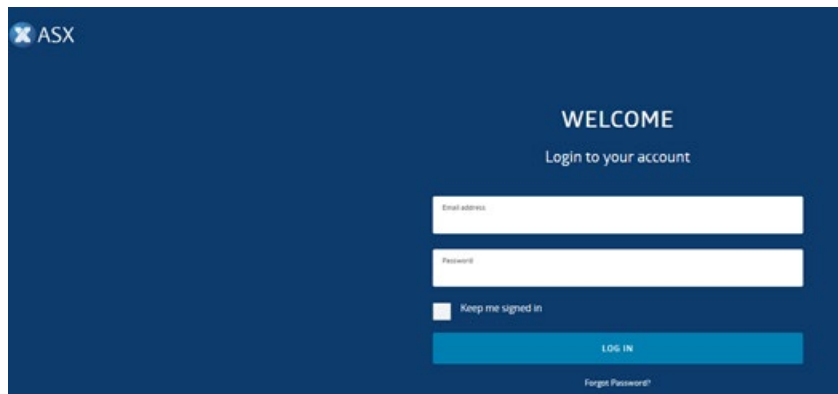
- your entity is set up as a participant with ASX;
- you have set up your username and password; and
- your Enterprise Administrator has provided you with permission to edit, submit or view 'Participant Forms'.

i If you do not have an ASX Online username, password or appropriate permissions applied, please contact your Enterprise Administrator or Compliance Manager.

If you do not know who your Enterprise Administrator is, please contact us on 131 ASX (131 279) or via email at ASX.Online@asx.com.au.

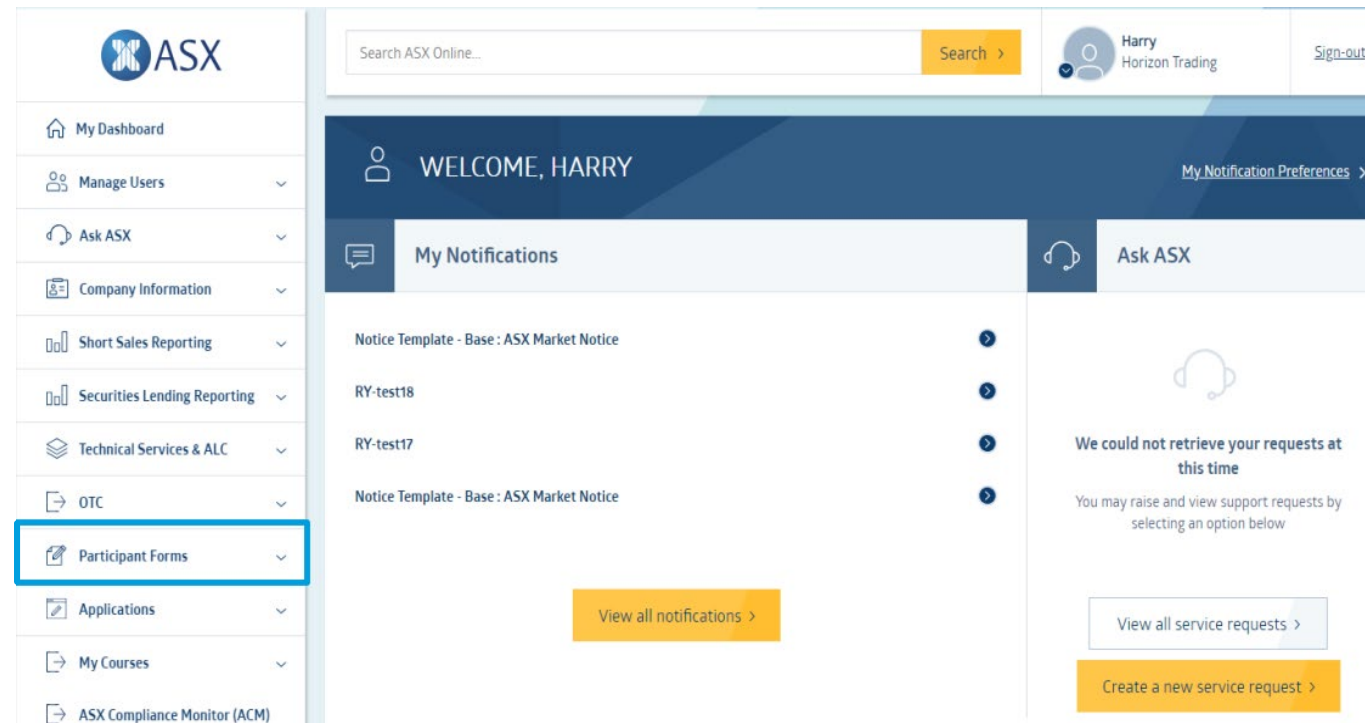
Step 2: Go to <https://www.asxonline.com/> and click the "Sign In" button

Step 3: Enter your Email Address and Password



The image shows the ASX Online login page. It features the ASX logo at the top left. The main heading is "WELCOME" with the sub-heading "Login to your account". Below this are two input fields: "Email address" and "Password". There is a checkbox labeled "Keep me signed in" and a blue "LOG IN" button. A "Forgot Password?" link is located at the bottom right of the form area.

Step 4: Access your Participant Portal page where you can review Participant Forms using the link down on the left hand side:



The image shows the ASX Online Participant Portal dashboard. At the top, there is a search bar labeled "Search ASX Online..." and a "Search" button. To the right, the user's name "Harry Horizon Trading" and a "Sign-out" link are visible. The main navigation menu on the left includes: My Dashboard, Manage Users, Ask ASX, Company Information, Short Sales Reporting, Securities Lending Reporting, Technical Services & ALC, OTC, Participant Forms (highlighted with a blue box), Applications, My Courses, and ASX Compliance Monitor (ACM). The main content area displays a "WELCOME, HARRY" message and a "My Notifications" section. The notifications list includes "Notice Template - Base: ASX Market Notice" (RY-test18 and RY-test17) and another "Notice Template - Base: ASX Market Notice". A "View all notifications >" button is present. On the right side, there is an "Ask ASX" section with a "We could not retrieve your requests at this time" message and a "View all service requests >" button. A "Create a new service request >" button is also visible.

Reviewing your Obligations - Summary

A Participant must:

- ✓ Meet their participant notification obligations as it is a key requirement for participants under the ASX Operating Rules and related procedures across all rule books.
- ✓ Refer to the relevant ASX operating rule book and Guidance Notes 8, 9, 10 & 13⁶ to better understand these requirements.



⁶**NOTE:** Guidance Note 10 is only applicable for ASX Clear Futures, ASX Clear & ASX Settlement Operating Rules and Guidance Note 13 is only applicable for ASX Clear Operating Rules.



If you have any questions in relation to your participant notification obligations please contact your ASX Participant Compliance Adviser or alternatively email: participants.compliance@asx.com.au.

Useful Links

ASX Guidance Notes 8 – Notification Obligations

- [ASX Operating Rules - GN 8](#)
- [ASX 24 Operating Rules - GN 8](#)
- [ASX Clear Futures Operating Rules - GN 8](#)
- [ASX Clear Operating Rules - GN 8](#)
- [ASX Settlement Operating Rules - GN 8](#)

ASX Guidance Note 9 – Offshoring and Outsourcing

- [ASX Operating Rules - GN 9](#)
- [ASX 24 Operating Rules - GN 9](#)
- [ASX Clear Futures Operating Rules - GN 9](#)
- [ASX Clear Operating Rules - GN 9](#)
- [ASX Settlement Operating Rules - GN 9](#)

ASX Guidance Note 10 – Business Continuity and Disaster Recovery

- [ASX Clear Futures Operating Rules - GN 10](#)
- [ASX Clear Operating Rules – GN 10](#)
- [ASX Settlement Operating Rules - GN10](#)

ASX Guidance Note 13 – Managing Liquidity Requirements

- [ASX Clear Operating Rules – GN 13](#)

ASX Online Participants Forms User Guide:

<https://asxonline.com/content/dam/asxonline/public/documents/manuals/participant-forms-guide.pdf>

ASX Online List of Participant Forms:

<https://www.asxonline.com/content/dam/asxonline/public/documents/manuals/participant-notifications.pdf>



Disclaimer

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