

Listed@ASX Compliance Update no. 10/21

16 November 2021

1. ASX Online Forms- Frequently Asked Questions document now available

In the [Listed@ASX Compliance Update 05/21](#), ASX provided details of the Listing Rule and online form changes effective 5 June 2021, including the availability of training and help material.

A new [ASX Online Forms Frequently Asked Questions document](#) has now been published on the [Help page](#) of the ASX Online Companies website, in addition to the existing recorded training and help material for online forms. ASX has prepared this FAQ document to assist issuers with common queries they may have in relation to the usage of the ASX Online forms that were updated or came into effect on 5 June 2021, including Appendices 3B, 2A, 3G, 3H, 3C, and 4A.

ASX will update this document periodically, to include any new FAQs or additional guidance.

As outlined on pages 9-10 of the FAQs, ASX notes that when multiple Appendices 2A, 3G and 3H are lodged on the same day a discrepancy will arise in the running totals in the later lodged forms. The running totals will be adjusted in the next form lodged by the entity after the earlier forms have been processed by ASX.

If you require any further assistance regarding ASX Online access please contact asx.online@helpdesk.com.au, Tel: 1800 028 302 or +61 2 9227 0905.

For all other queries please contact your ASX Listings Compliance Adviser.

2. Consultation response to proposed changes to oil and gas reporting requirements

On 22 October 2021, ASX released its [response](#) to the submissions it received on its consultation paper dated 16 April 2021 entitled [Proposed changes to the oil and gas reporting requirements in the ASX Listing Rules](#).

Subject to the receipt of the necessary regulatory approvals, the final rule changes will come into effect on 1 July 2022. Listed entities are encouraged to early-adopt the changes, if they wish to.

ASX will issue an update to Guidance Note 32 *Reporting on Oil and Gas Activities* well before the transition date of 1 July 2022 reflecting the final changes to the Listing Rules and addressing some of the issues raised in the consultation submissions.

3. Updates to Guidance Notes 17 and 23

On 12 November 2021, ASX released updates to Guidance Note 17 *Waivers and In-Principle Advice* (GN 17) and Guidance Note 23 *Quarterly Reporting* (GN 23) with details of a new standard waiver from Listing Rules 4.2A.3, 4.3A, 4.7B and 4.7C available to US-incorporated entities admitted to the ASX official list as an ASX Listing. The relief will allow the entity to lodge certain periodic SEC filings with ASX in lieu of certain ASX-required periodic reports, provided the entity meets the conditions outlined in GN 17.

ASX has also expanded the guidance in sections 10-12 of GN 17 about the types of in-principle advice applicants for listing can seek from ASX and added to the Annexure to GN 17 the standard waiver from Listing Rule 1.1 condition 6 and Listing Rule 2.4. ASX has for some time now provided this waiver to foreign entities applying for admission as an ASX Listing that have their primary listing on an overseas exchange other than the NZX and that intend to use CHES Depository Interests (CDIs) to facilitate the holding and transfer of their ASX-quoted securities. That waiver allows the entity to apply for quotation of the portion of its securities that will be represented by CDIs instead of having to apply for quotation of all the securities in its main class.

The guidance in section 14 of GN 23 on ASX's discretion to extend the requirement for commitments test entities to provide quarterly reports beyond the first 8 quarters after their admission or re-admission to the official list has also been updated to reflect current ASX practice.

Clean versions of the amended Guidance Notes are available on the rules page on the ASX website at: <https://www2.asx.com.au/about/regulation/rules-guidance-notes-and-waivers/asx-listing-rules-guidance-notes-and-waivers>. Mark-ups of the changes are available at: [GN 17](#) and [GN 23](#).

4. CHESSE Replacement Update- Consultation on tranche 3 operating rule amendments and consolidated rules package

On 31 August 2021, ASX released a [consultation paper](#) on the third of three tranches of operating rule amendments, as well as a consolidated rules package across all the rule amendments, for the new system that will replace CHESSE in April 2023.

The content in tranche 3 relates to netting, settlement, reporting and miscellaneous amendments for 'Day 1' CHESSE replacement system functionality, including updates to the tranche 1 amendments to reflect changes to netting and settlement workflows as a result of proposed changes which ASX consulted on in February 2021. The miscellaneous amendments also include transitional rules addressing migration aspects for the cutover to the new system.

The consultation paper invites feedback from users and other stakeholders on the operation of the draft tranche 3 rule amendments, including any unintended consequences, as well as the combined package of rule amendments.

Written submissions are requested by Tuesday 14 December 2021.

ASX will provide its response to consultation in early June 2022, ahead of formal lodgement of the combined rules package with ASIC in early September 2022 (subject to regulatory clearance).

5. Electronic CHESSE statements and notifications

On 5 November 2021, ASX provided an update on the target go-live date and pricing of electronic CHESSE statements and notifications.

Following a rigorous testing program to ensure the security and quality of the new electronic service, ASX is planning a launch date in mid-December 2021. The confirmed go-live date will be announced at the end of November 2021.

ASX is also reviewing the fees it charges for Issuer Administration Services and will be engaging with issuers on a new, simpler and more contemporary pricing model from early 2022. During the Issuer Administration Services review phase, the fee for all electronically delivered statements will be waived.

More detail can be found at the link below:

[Electronic CHESSE holding statements](#)

If you have any questions regarding electronic CHESSE holding statements and notifications, please contact issuers@asx.com.au.

6. Christmas/ New Year closures

The following dates over the Christmas/New Year period are non-business days and non-settlement days:

- 27 and 28 December 2021; and
- 3 January 2022.

ASX will be closed on these days.

On both Friday 24 and Friday 31 December 2021 normal trading will cease at 2:10pm AEDT. The ASX Market Announcements Office will also close early on those dates at 4:30pm AEDT.

7. ASX Trade Calendar 2022

The [2022 ASX Trading Calendar](#) is now available on the ASX website. The calendar lists all of the non-trading and non-settlement days for ASX Settlement (CHESSE) and ASX Clear (Derivatives) purposes, as well as the days that ASX deems as non-business days for Listing Rule timetable purposes.
