

Financial Market Infrastructures Act Designation Notice (ASXCF) 2023

Title

1. This is the Financial Market Infrastructures Act Designation Notice (ASXCF) 2023.

Effective Date

2. This notice comes into effect on 1 March 2024.

Authority

3. This notice is issued under clause 4 of Schedule 1 of the Financial Market Infrastructures Act 2021 (the **Act**) by the Reserve Bank of New Zealand and Financial Markets Authority, and has legal effect.

Interpretation

4. In this notice:
 - (a) references to “**FMI**” are references to the ASXCF settlement system;
 - (b) **ASX Clear (Futures)** means ASX Clear (Futures) Pty Limited, a company incorporated in Australia;
 - (c) **ASXCF settlement system** means the settlement system operated and managed by or on behalf of ASX Clear (Futures); and
 - (d) any term that is defined in the Act and used, but not defined, in this notice has the meaning as in the Act.

Designation

5. The ASXCF settlement system is declared to be a designated FMI.

Operator

6. ASX Clear (Futures) is the operator of the FMI.

Documents that set out the rules

7. The documents that set out the FMI’s rules are the ASX Clear (Futures) Operating Rules, consisting of:
 - (a) the Futures Operating Rules, but excluding the attachment entitled Procedures Determinations and Practice Notes; and

- (b) the OTC Rules; and
- (c) the ASX Recovery Rules; and
- (d) the ASX Enforcement and Appeals Rulebook.

Specified operator

8. ASX Clear (Futures):

- (a) is the specified operator of the FMI; and
- (b) is an operator to which section 103A of the Personal Property Securities Act 1999 applies.

Systemic importance

9. The FMI is systemically important.

Operator is participant in the FMI

10. ASX Clear (Futures) is a participant in the FMI.

FMI is a central counterparty

11. The FMI is a central counterparty.

Application of subpart 5

12. Subpart 5 of Part 3 of the Act applies to the FMI.

Class or classes

13. For the purposes of any standards issued under section 31 of the Act, the FMI falls within the following class or classes: overseas-equivalent FMI.

Dated this 15th day of December 2023



Ivana Erceg Floerchinger
Head of Frontline Regulators & Market
Infrastructure
Financial Markets Authority



Scott McKinnon
Director of Prudential Supervision
Reserve Bank of New Zealand