

# What's Ahead: 2022 Financial Services Regulatory Timeline

Ashurst's 2022 Financial Services Regulatory Timeline sets out the key dates you should be aware of in 2022. This timeline is current at the date of publication and events and dates in the timeline may change. An interactive timeline with further details on the key milestones and links to additional resources will be available on our website shortly.

| Early 2022 | <ul style="list-style-type: none"> <li>ASIC to consider feedback on its proposals to make product intervention orders for short term credit and continuing credit contracts</li> <li>APRA and ASIC to release a Joint Administration Agreement in relation to the administration of FAR</li> <li>ASIC expected to release a second consultation paper outlining proposed changes to simplify the ASIC Derivative Transaction Rules (Reporting)</li> </ul> | JANUARY   | FEBRUARY   | MARCH   | APRIL  |
|------------|---|---|--|---|--|
|            |   | <p><b>1 January:</b> The Better Advice reforms for financial advisers and tax agents came into force</p> <p><b>1 January:</b> Use of the London Interbank Offered Rate (LIBOR) to cease in new contracts</p> <p><b>1 January:</b> Businesses providing claims handling and settling services now required to comply with Chapter 7 obligations</p> <p><b>24 January:</b> Treasury releases report on Consumer Data Right Strategic Assessment</p> | <p><b>11 February:</b> Comments due on ASIC's draft regulatory guide governing consumer remediation</p> <p><b>15 February:</b> Senate Committee issues report into the Financial Accountability Regime Bill and Financial Services Compensation Scheme of Last Resort Levy Bill</p> <p><b>16 February:</b> ACCC issues determination to grant re-authorization to the FBAA for its disciplinary scheme</p> <p><b>21 February:</b> ASIC extends relief on PDS requirements where a quote for general insurance product is given</p> <p><b>25 February:</b> ASIC extends relief on simple arrangements following a hardship notice to 1 April 2024</p> | <p><b>7 March:</b> ASIC publishes report on submissions to its review of the ePayments</p> <p><b>9 March:</b> ACCC issues determination reauthorising the MFAA's disciplinary rules</p> <p><b>24 March:</b> ACCC makes determination to grant authorisation to the Insurance Council of Australia and members to coordinate on business interruption cover</p> <p><b>28 March:</b> Comments due on ASIC's proposed updates to RG 263 Financial Services and Credit Panel</p> <p><b>30 March:</b> ASIC publishes an internal dispute resolution data dictionary and data glossary</p> <p><b>30 March:</b> Senate Committee issues report on the adequacy and efficacy of Australia's anti-money laundering and counter-terrorism financing</p> <p><b>31 March:</b> APRA releases five year road map on how it intends to collect financial industry data</p> | <p><b>April:</b> ACCC to issue a final determination in relation to AusPayNet's request for authorisation to give effect to the HVCS Regulations and Procedures</p> <p><b>6 April:</b> ASIC extends product intervention order imposing conditions on the issue and distribution of CFDs to retail clients</p> <p><b>15 April:</b> ASIC COVID-19 relief measures in relation to financial advisers advising consumers impacted by COVID-19 will end</p> <p><b>15 April:</b> Submissions to APRA close on phase 1 of APRA's plans to expand the breadth and granularity of published superannuation data</p> <p><b>23 April:</b> ASIC extends relief from some dollar disclosures in litigation funding schemes</p> <p><b>29 April:</b> Submissions to APRA close on new prudential standards to respond to future financial crises</p> |
|            |   | MAY   | JUNE   | JULY  |  |
|            |   | <p><b>May:</b> ASIC expected to release updated RG 263 Financial Services and Credit Panel</p> <p><b>12 May:</b> Submissions to APRA close on phase 2 of APRA's plans to expand the breadth and granularity of published superannuation data</p>  | <p><b>June:</b> BPAY, eftpos and NPPA to implement an industry-wide standard supporting payment with QR codes after accepting undertaking for authorised merger</p> <p><b>3 June:</b> Submissions close on Treasury Issues Paper on Quality of Advice Review</p>   | <p><b>1 July:</b> Revised prudential standards for insurance in superannuation commence</p> <p><b>1 July:</b> Amendments to Privacy Act to permit reporting of financial hardship information within the credit reporting framework commence</p> <p><b>1 July:</b> End of transitional period for obligations surrounding the renewal and charging of annual advice fees</p>  |  |
| Mid 2022   | <ul style="list-style-type: none"> <li>ASIC to release updates to ePayments Code</li> </ul>   | <th>SEPTEMBER</th> <th>NOVEMBER</th>  |  | SEPTEMBER   | NOVEMBER   |
|            |   | <p><b>September:</b> ALRC to release second interim report in its review of Corporations and Financial Services regulations</p>   | <p><b>November:</b> SWIFT's migration to ISO 20022 standard commences</p>  |   |  |
| Late 2022  | <ul style="list-style-type: none"> <li>ASIC to commence publishing breach reporting data</li> </ul>   |   |  |   |  |

## THEMES FOR 2022

- Potential reforms to Responsible Lending
- Potential re-introduction of FAR reforms
- Potential re-introduction of Financial Services Compensation Scheme of Last Resort
- Regulation of payments systems and cryptocurrency
- Focus on cyber-resilience
- Focus on sustainable finance in response to climate change
- Potential reintroduction of unfair contract terms reform



## CASES TO WATCH

- CDPP v Vina Money Transfer:** Cartel proceedings for allegedly fixing foreign exchange transactions
- ASIC v Macquarie Bank:** Proceedings in relation to alleged third party access to deposit accounts
- ASIC v Westpac:** Proceedings alleging instances of insider trading in relation to an interest rate swap transaction
- J Wisbey & Associates Pty Ltd v UBS AG & Ors:** Class action proceedings alleging cartel conduct in the foreign exchange market
- ASIC v Commonwealth Bank:** Criminal proceedings for the alleged mis-selling of consumer credit insurance
- ASIC v RI Advice Group:** Proceedings brought by ASIC for a number of alleged cyber breach incidents



## ON THE RADAR FOR 2023

- New prudential standard in remuneration to commence on 1 January 2023
- New market integrity rules in relation to securities and futures market operators and participants to commence in March 2023
- ALRC to release final report into the potential simplification of the financial services laws in Australia



# Your Key Financial Services Regulatory Contacts



## Dispute Resolution

### MELBOURNE



**Mark Bradley**  
Partner  
T +61 3 9679 3363  
M +61 400 338 104  
mark.bradley@ashurst.com



**Lucinda Hill**  
Partner  
T +61 3 9679 3029  
M +61 402 035 486  
lucinda.hill@ashurst.com



**Angus Ross**  
Partner  
T +61 3 9679 3735  
M +61 437 096 120  
angus.ross@ashurst.com



**Liz Seddon**  
Counsel  
T +61 3 9679 3892  
liz.seddon@ashurst.com



**Morgan Spain**  
Partner  
T +61 3 9679 3214  
M +61 417 819 132  
morgan.spain@ashurst.com

### PERTH



**Adrian Chai**  
Partner  
T +61 8 9366 8104  
M +61 409 661 368  
adrian.chai@ashurst.com



**Catherine Pedler**  
Partner  
T +61 8 9366 8064  
M +61 451 941 239  
catherine.pedler@ashurst.com

### SYDNEY



**Ian Bolster**  
Partner  
T +61 2 9258 6697  
M +61 421 555 841  
ian.bolster@ashurst.com



**Andrew Carter**  
Partner  
T +61 2 9258 6581  
M +61 412 398 830  
andrew.carter@ashurst.com



**Lorraine Hui**  
Partner  
T +61 2 9258 6520  
M +61 439 692 241  
lorraine.hui@ashurst.com



**Rani John**  
Partner  
T +61 2 9258 6585  
rani.john@ashurst.com



**Nick Mavrakis**  
Partner  
T +61 2 9258 6501  
M +61 412 746 245  
nicholas.mavrakis@ashurst.com



**Mark Elvy**  
Partner  
T +61 2 9258 6945  
M +61 435 781 256  
mark.elvy@ashurst.com



**Nicole Gardner**  
Partner  
T +61 2 9258 5865  
M +61 437 779 887  
nicole.gardner@ashurst.com

### BRISBANE



**Meredith Bennett**  
Partner  
T +61 7 3259 7080  
M +61 429 678 265  
meredith.bennett@ashurst.com

## Finance Regulatory

### MELBOURNE



**Philip Trinca**  
Partner  
T +61 3 9679 3258  
M +61 407 977 001  
philip.trinca@ashurst.com



**Caroline Ord**  
Counsel  
T +61 3 9679 3667  
M +61 413 806 352  
caroline.ord@ashurst.com

### SYDNEY



**Jonathan Gordon**  
Practice Group Head,  
Global, Finance Regulatory  
T +61 2 9258 6186  
M +61 409 830 098  
jonathan.gordon@ashurst.com



**Corey McHattan**  
Partner  
T +61 2 9258 6381  
M +61 416 127 992  
corey.mchattan@ashurst.com



**Silvana Wood**  
Partner  
T +61 2 9258 6334  
M +61 427 011 800  
silvana.wood@ashurst.com



**Narelle Smythe**  
Partner  
T +61 2 9258 5713  
M +61 477 191 796  
narelle.smythe@ashurst.com



**Hong-Viet Nguyen**  
Partner  
T +61 2 9258 6572  
hong-viet.nguyen@ashurst.com



**Nicky Thiyavutikan**  
Senior Associate  
T +61 2 9258 5966  
M +61 428284839  
nicky.thiyavutikan@ashurst.com



**Dominic Tran**  
Senior Associate  
T +61 2 9258 6438  
M +61 438 167 388  
dominic.tran@ashurst.com

### BRISBANE



**Samantha Carroll**  
Partner  
T +61 7 3259 7549  
M +61 401 117 880  
samantha.carroll@ashurst.com

## Competition

### MELBOURNE



**Justin Jones**  
Partner  
T +61 3 9679 3640  
M +61 412 426 826  
justin.jones@ashurst.com

### SYDNEY



**Peter Armitage**  
Practice Group Head, Australia,  
Competition, Sydney  
T +61 2 9258 6119  
M +61 418 973 700  
peter.armitage@ashurst.com



**Melissa Fraser**  
Partner  
T +61 2 9258 5949  
M +61 400 507 068  
melissa.fraser@ashurst.com



**Ross Zaurrini**  
Partner  
T +61 2 9258 6840  
M +61 411 866 953  
ross.zaurrini@ashurst.com



**Tihana Zuk**  
Partner  
T +61 2 9258 6343  
M +61 409 654 876  
tihana.zuk@ashurst.com



**John McKellar**  
Senior Associate  
T +61 2 9258 5694  
john.mckellar@ashurst.com

### BRISBANE



**Alyssa Phillips**  
Partner  
T +61 7 3259 7352  
M +61 488 362 225  
alyssa.phillips@ashurst.com

## Risk Advisory

### MELBOURNE



**Philip Hardy**  
Partner, Head of  
Ashurst Risk Advisory  
T +61 3 9679 3155  
M +61 411 104 250  
philip.hardy@ashurst.com



**Jodie Bennett**  
Director  
T +61 3 9679 3254  
jodie.bennett@ashurst.com



**Gwladys Ngo Tedga Yagla**  
Director  
T +61 3 9679 3795  
M +61 435 421 699  
gwladys.tedga@ashurst.com



**Niki Short**  
Partner  
T +61 3 9679 3805  
M +61 457 532 477  
niki.short@ashurst.com

### SYDNEY



**Chris Baker**  
Head of Managed Services, Sydney  
T +61 2 9258 6648  
M +61 414 208 387  
chris.baker@ashurst.com



**Matthew Worsfold**  
Director  
T +61 2 9258 5776  
matthew.worsfold@ashurst.com



**Elizabeth K Hristoforidis Mousamas**  
Director  
T +61 2 9258 6488  
elizabeth.hristoforidis@ashurst.com



**Luke Whitcher**  
Director  
T +61 2 9258 6880  
luke.whitcher@ashurst.com