

Digital assets: Financial products and services

Corporations Amendment
(Digital Assets Framework) Bill 2025

Q2 2026



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What the new Bill introduces

- The Corporations Amendment (Digital Assets Framework) Bill 2025 received Royal Assent and became law on 8 April 2026.
- The Bill establishes a new regulatory regime for certain operators, notably:

Application

1. Digital Assets Platform (DAP)

A DAP is a facility where an operator holds digital tokens (underlying assets), either for itself or on behalf of someone else.

Examples: crypto exchanges (regardless of domicile) used by Australians to access tokens, custodial wallets and staking platforms

2. Tokenised Custody Platform (TCP)

TCP is a facility where an operator identifies and holds assets other than money, issuing a single digital token for each asset, which grants the right to redeem or direct the delivery of that asset. The operator acts on behalf of the token holder, often as trustee or bailee, and may also be authorised to manage the asset according to the holder's instructions.

Examples: platforms providing custody of tokenised deposits or securities, tokenised custody arrangements, custodial wallets and staking platforms*

**Note: TCPs are not intended to capture stablecoins (captured under the separate SVF regulatory framework).*

Regulatory implications for operators



ASIC

Operators of these platforms will be required to hold an Australian financial services licence (AFSL) and comply with the general obligations that apply to all AFSL holders in addition to new digital asset-specific requirements.

Regulatory implications for DAPs and TCPs

Licensing requirements and operator obligations

1. Requirement to hold an AFS licence (section 912BA)

- The Bill creates a regulatory framework requiring platform operators to be licensed and meet regulatory standards. Operating a DAP or TCP will generally require an AFSL.
- The law treats issuing a DAP or TCP as a **financial service**. Accordingly, the platform operator must hold an AFSL with appropriate authorisations to issue and deal in these products (unless an exemption applies).
- Exemptions may be available for small-scale platforms and intermediated staking arrangements. Transitional periods will be provided for existing operators to comply with the new regime.

2. Existing AFSL requirements to be applied for the first time

- All AFSL holders need to comply with the base level financial requirements. Additional requirements may apply, depending on the type of AFSL licence obtained.
- General conduct obligations that apply to AFS licensees, governed by section 912A of the Corporations Act 2001 are as follows:
 - Non-financial (conduct, governance, operational) requirements relating to conduct (efficient, honest and fair provision of services), governance and competence, supervision of representatives, conflicts management, risk management, and (for retail services) dispute resolution and compensation arrangements.
 - Financial requirements (capital and financial resilience) driven by RG 166:
 - The licensee must have sufficient financial resources to provide services and carry out supervisory arrangements.
 - The licensee must remain solvent and able to meet liabilities as they fall due (positive net assets test).
 - Certain AFSL categories (e.g., custody, IDPS, etc.) need to comply with the defined NTA and cash flow projections tests.
 - The licensee must keep proper financial records and lodge required financial statements with ASIC.
- Compliance with AFSL requirements is subject to an independent audit.

1. Requirement to hold an AFS licence (section 912BA)

Licensees offering a DAP/TCP must comply with additional standards set by ASIC:

- **Asset-holding standards (912BE)** – rules for safeguarding clients' underlying assets, recordkeeping, reconciliation, permissible uses of assets, and related services like fund accounting or tax reporting. For example, ASIC can require client money to be held on trust and ensure platforms have operations to mitigate banking risks (e.g. if a bank refuses services).
- **Transactional and settlement standards (912FB)** – rules for how trades and transfers of tokenised assets are executed and settled. This can cover matching and trade execution models, handling client instructions, use of external liquidity, etc., to ensure fair and orderly transactions on the platform.
- **Platform rules** – the licensed operator must establish platform rules governing the operation of the DAP/TCP. These should cover key aspects such as who can be a client (eligibility criteria), clients' ongoing obligations, how client instructions are executed and settled, risk disclosures about settlement methods and any external liquidity providers, who bears risks in transactions, how underlying assets can be deposited or redeemed, etc.
- **Prohibited financial products** – licenced operator must comply with any prohibition in force regarding conduct in relation to a specified financial product through the platform.

Next steps

Next steps for DAP and TCP operators

1

Determine obligations early

Identify whether a digital asset is a **financial product** and whether an **AFS licence** is required.

2

Get the right AFS licence

The licence should correctly match **financial products, financial services** provided and the **type of the clients** the person serves (retail vs wholesale).

3

Set up governance from day one

Put strong governance and accountability in place and appoint **responsible managers** to define **compliance responsibilities** upfront.
Prepare **platform rules** and **DAP/TCP guide**.
Prepare **voting policy**.

4

Build the compliance framework

Document duties and licence conditions, then create clear **policies, procedures** and **controls**.

5

Embed compliance into operations

Train staff, promote a **compliance culture**, and **integrate** compliance into business processes.

6

Monitor and improve

Regularly **review, audit**, record issues, report breaches promptly, and **update** the framework as required.

How can EY professionals support you?

EY professionals bring deep expertise across crypto-assets, underlying technology and the regulatory complexities associated with obtaining and maintaining an AFS licence.

Our team can support you at each stage of the journey, with a focus on building a robust, fit-for-purpose and sustainable compliance framework.

Depending on the client's specific needs, our support can include:

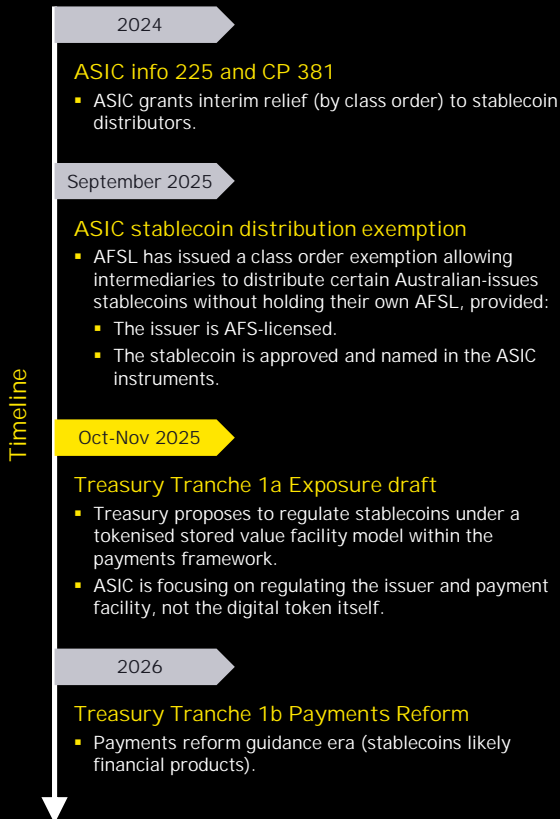
- Strategy and regulation readiness: conduct a gap analysis and identify priority areas for improvement.
- Support with the initial AFS licence application, including exemption testing.
- Assistance in documenting enforceable platform rules, DAP/TCP Guide and ongoing disclosure updates.
- Design and implementation of ASIC "standard" controls for asset-holding, reconciliation, segregation, client money/trust use, transactional and settlement processes.
- Review the existing control framework and align global best practice and existing and upcoming industry standards.
- Establishing the required compliance framework (including market misconduct surveillance and product intervention response).
- Performing independent reviews and/or audits of the newly implemented compliance environment.
- Finance, tax and reporting for digital assets support.

Upcoming stablecoin regulations

Australia is transitioning stablecoins from regulatory uncertainty into the mainstream payments regulatory perimeter, with interim relief already in place and a formal framework imminent. The window for early-mover institutional participation is open now, ahead of full prudential tightening.

Tranche 1a – Expected Issuer vs intermediary impact matrix

	Stablecoin issuer (tokenised SVF providers)	Intermediaries (wallets, exchanges, PSPs and technology providers)
Overall takeaway	Issuers are brought squarely into the payments regulatory perimeter, with clarity on what a payment stablecoin is under the law.	More intermediaries are captured, but only by reference to clearly defined activities rather than mere association with crypto.
Regulatory classification	Treated as a tokenised stored value facility (SVF) provider where redemption rights are token-linked, fixed and denominated in a single currency (e.g. AUD).	May be treated as a Payment Service Provider (PSP), depending on the activity (initiation, facilitation, or payment technology and enablement).
What is regulated	The facility and issuer (stored value + redemption right), not the token as a standalone crypto-asset.	The payment service activity performed (not necessarily issuance). Pure pass-through or B2B technology providers may fall outside the scope if carve-outs apply.
Key licensing impact	Issuance falls clearly within the AFSL perimeter as a financial product (tokenised SVF).	Many entities previously outside the AFSL may now require an AFSL (or rely on exemptions) due to the newly defined payment service.
Product design implications	Stablecoins must be structured around legal redemption rights (1:1, single currency). Algorithmic or floating-value tokens likely fall outside this category (or into other regimes).	Business models must be mapped carefully to determine whether activities constitute payment initiation, payment facilitation or payment enablement.
Reserve and safeguarding	Not yet fully imposed – detailed reserve requirements, safeguarding obligations and APRA oversight expected are in Tranche 1b.	No direct reserve obligations, but reliance on issuer compliance and contractual alignment becomes critical.
Scaling / prudential risk	Introduction of “major SVF provider” concept signals future graduated oversight as issuance volume grows.	Indirect exposure to major provider obligations through service dependency on large issuers.
Consumer protection and complaints	Primary responsibility for consumer outcomes where the issuer deals directly with retail holders.	A new cooperation obligation arises when supporting another licensee that serves retail clients (must assist AFCA, provide documents, support IDR).
Strategic impact	Enables the institutional issuance of AUD stablecoins with greater regulatory clarity, while raising the bar for governance and balance sheet strength.	Raises the compliance barrier for payment-chain participants, but provides a clearer perimeter and legitimacy for regulated PSP roles.
Operational uplift required	<ul style="list-style-type: none"> Formalise redemption mechanics Governance aligned to SVF issuance Prepare for future prudential requirements (Activity-based regulatory mapping) AFSL scope review Australian Financial Complaints Authority (AFCA) / complaints cooperation playbooks Contractual clarity with issuers 	



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