

REMEMBER YOUR CONTINUOUS DISCLOSURE OBLIGATIONS

As ASIC and industry endeavour to return to 'business as usual' with projects initially disrupted by the pandemic being progressed, now is a good time to remember your continuous disclosure obligations. This is one of the most complex and uncertain issues for responsible entities (REs) at the best of times.

ASIC'S PLAN

Continuous disclosure is a key focus in ASIC's recently released Corporate Plan 2020-2024. ASIC says it will monitor and enforce continuous disclosure requirements to help ensure the market is accurately informed and the Australian financial system is resilient and stable.

ASIC intends to monitor false or misleading disclosures, with a particular focus on—

- withdrawal of earnings guidance
- capital raisings
- sectors operationally impacted by the COVID-19 pandemic, and
- opportunistic disclosure conduct.

This [article](#), written in March 2020 in the early days of the pandemic, explains continuous disclosure obligation traps for REs and other disclosing entities in these unprecedented and challenging times. It remains equally relevant today.

NEED HELP?

If you need to discuss what information you need to disclose and how that disclosure should be made, then please contact our funds management lawyers. McMahon Clarke has a team of specialists who are closely monitoring and working with clients to respond to the developments arising from COVID-19, including these obligations. You can also visit our [COVID-19 HUB](#) for more information.



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