

QUESTION ON NOTICE

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**Question:** 21QW  
**Member:** Thistlethwaite  
**Topic:** ASIC's role in crypto and initial coin offerings  
**Written**

**Question:**

John Price has said that he expected ASIC's activity in this space would focus on 'misleading and deceptive conduct'. Is that correct?

**Answer:**

- In industry guidance, ASIC has emphasised that ASIC's risk-based focus is on potentially misleading or deceptive conduct, as such conduct can result in investors being deceived and losing their savings. ASIC considers that this approach focuses on our investor protection mandate while allowing industry flexibility to continue to develop innovative product offerings and ICO structures that would best meet investor interests and the needs of the industry.
- Of course, we would also consider taking regulatory action if we identify other concerning conduct including undertaking unlicensed activities. ASIC carefully considers how to respond to all potential breaches of the law. Our approach is set out in *Information Sheet 151: ASIC's approach to enforcement*.