



Commonwealth of Australia



**ASIC**

Australian Securities &  
Investments Commission

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01/1611-

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
SUBSECTION 340(1) CORPORATIONS ACT 2001**

**ORDER**

Pursuant to subsection 340(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission exempts **ETSA Utilities Finance Pty. Ltd.** ACN 091 701 825 ("the Company") and the directors of the Company from compliance with section 323D(2)(b) of the Act in respect of the financial year ending 31 December 2001, on condition that:

1. the Company complies with Chapter 2M of the Act in respect of the financial year from 1 July, 2001 to 31 December, 2001 ("Relevant Financial Year");
2. the requirements of the Act, the Corporations Regulations, the Corporations (Fees) Regulations and any other class order are applied in respect of the Relevant Financial Year as if:
  - (i) s.45A(2)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is less than \$10 million"; and
  - (ii) s.45A(3)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is \$10 million or more"; and
3. the directors of the Company include a brief statement in the directors' report to the relief provided by this order.

Dated: 21 September 2001



as Delegate for the Australian Securities and Investments Commission

01/1612

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
SUBSECTION 340(1) CORPORATIONS ACT 2001**

**ORDER**

Pursuant to subsection 340(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission exempts **Utilities Management Pty. Ltd.** ACN 090 664 878 ("the Company") and the directors of the Company from compliance with section 323D(2)(b) of the Act in respect of the financial year ending 31 December 2001, on condition that:

1. the Company complies with Chapter 2M of the Act in respect of the financial year from 1 July, 2001 to 31 December, 2001 ("Relevant Financial Year");
2. the requirements of the Act, the Corporations Regulations, the Corporations (Fees) Regulations and any other class order are applied in respect of the Relevant Financial Year as if:
  - (i) s.45A(2)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is less than \$10 million"; and
  - (ii) s.45A(3)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is \$10 million or more"; and
3. the directors of the Company include a brief statement in the directors' report to the relief provided by this order.

Dated: 21 September 2001



as Delegate for the Australian Securities and Investments Commission

01/1613

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
SUBSECTION 340(1) CORPORATIONS ACT 2001**

**ORDER**

Pursuant to subsection 340(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission exempts **Cheung Kong Infrastructure Finance (Australia) Pty. Ltd.** ACN 090 654 247 ("the Company") and the directors of the Company from compliance with section 323D(2)(b) of the Act in respect of the financial year ending 31 December 2001, on condition that:

1. the Company complies with Chapter 2M of the Act in respect of the financial year from 1 July, 2001 to 31 December, 2001 ("Relevant Financial Year");
2. the requirements of the Act, the Corporations Regulations, the Corporations (Fees) Regulations and any other class order are applied in respect of the Relevant Financial Year as if:
  - (i) s.45A(2)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is less than \$10 million"; and
  - (ii) s.45A(3)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is \$10 million or more"; and
3. the directors of the Company include a brief statement in the directors' report to the relief provided by this order.

Dated: 21 September 2001



as Delegate for the Australian Securities and Investments Commission

01/1614

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
SUBSECTION 340(1) CORPORATIONS ACT 2001**

**ORDER**

Pursuant to subsection 340(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission exempts **Hong Kong Electric International Finance (Australia) Pty. Ltd.** ACN 090 664 850 ("the Company") and the directors of the Company from compliance with section 323D(2)(b) of the Act in respect of the financial year ending 31 December 2001, on condition that:

1. the Company complies with Chapter 2M of the Act in respect of the financial year from 1 July, 2001 to 31 December, 2001 ("Relevant Financial Year");
2. the requirements of the Act, the Corporations Regulations, the Corporations (Fees) Regulations and any other class order are applied in respect of the Relevant Financial Year as if:
  - (i) s.45A(2)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is less than \$10 million"; and
  - (ii) s.45A(3)(a) of the Act read "the consolidated gross operating revenue for the 12 months to the end of the financial year of the company and the entities it controls (if any) is \$10 million or more"; and
3. the directors of the Company include a brief statement in the directors' report to the relief provided by this order.

Dated: 21 September 2001



as Delegate for the Australian Securities and Investments Commission

01/1615

**AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION**

**Corporation Act 2001 - Subsection 340(1) Order**

Pursuant to subsection 340(1) of the Corporation Act 2001 ("the Act") the  
**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION** hereby  
**MAKES AN ORDER** relieving the company referred to in Schedule A from  
compliance with Division 1 and Division 5 of Part 2M.3 and Part 2M.4 of the Act for  
the financial year ended 30 June 2001.

**SCHEDULE A**

Natural Gas Australia Limited

ACN 091 824 798

Dated: 2 October 2001



.....  
Signed by Trevor Shaw

As a Delegate of the Australian Securities and Investments Commission.

01/1616

**AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION**

**Corporations Act 2001 - Subsection 340(1) Order**

Pursuant to subsection 340(1) of the Corporations Act 2001("the Act") the **AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION** hereby **MAKES AN ORDER** relieving the companies referred to in Schedule A from subsections 319(3) of the Act in so far as this subsection requires the financial reports for the year ended 30 June 2001 to be lodged within four months after the end of the financial year, **ON CONDITION THAT** the report is lodged by the date referred to in Schedule B.

The reference to "4 months" in section 319(3) for the year ended 30 June 2001 is replaced with "21 November 2001".

**SCHEDULE A**

Jurlique Pty. Ltd.  
Jurlique International Pty. Ltd.

A.C.N. 069 586 241  
A.C.N. 064 901 131

**SCHEDULE B**  
21 November 2001

Dated: 25 October 2001

  
.....  
Signed by Trevor John Shaw

As a Delegate of the Australian Securities and Investments Commission.

01/1617


**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
SUBSECTION 340(1) CORPORATIONS ACT 2001**

**ORDER**

Pursuant to subsection 340(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission exempts Process Solutions Australia Pty. Ltd. ACN 089 838 246 ("the Company") and the directors of the Company from compliance with section 323D(2)(b) of the Act in respect of the financial year ending 30 June 2001, on condition that:

1. the Company complies with Chapter 2M of the Act in respect of the financial year from 1 July, 2000 to 31 October, 2001 ("Relevant Financial Year");
2. the directors of the Company include a brief statement in the directors' report to the relief provided by this order.

Dated: 29 October 2001



**Trevor John Shaw**  
as Delegate for the Australian Securities and Investments Commission



01/1618

**AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION**

**Corporation Act 2001 - Subsection 340(1) Order**

Pursuant to subsection 340(1) of the Corporation Act 2001 ("the Act") the AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION hereby **MAKES AN ORDER** relieving the company referred to in Schedule A from compliance with Section 315(1)(b) of the Act for the financial year ended 30 June 2001, in so far that they will be required to dispatch their annual report by 31 December 2001, subject to the conditions stated in Schedule B;

**SCHEDULE A**

F.H. Faulding & Co Limited

ACN 007 870 984

**SCHEDULE B**

That shareholders listed on F.H. Faulding & Co's register as at 31 October 2001 are notified by mail

1. of ASIC's approval to dispatch the company's annual report by 31 December 2001 instead of 31 October 2001
2. that this approval is subject to the company ensuring that the financial statements of the company will be made available by the company if requested by shareholders
3. of ASIC's approval to hold the company's annual general meeting by 31 December 2001 instead of by 30 November 2001.

Dated: 29 October 2001



Signed by Trevor John Shaw  
As a Delegate of the Australian Securities and Investments Commission.

01/1619

**Australian Securities and Investments Commission  
Corporations Act 2001 Subsection 741(1)(b)  
Declaration and Modification**

Pursuant to subsection 741(1) of the Corporations Act 2001 (the "Law"), the Australian Securities and Investments Commission (the "Commission") hereby declares that Chapter 6D of the Law shall have effect in its application to the person and the scheme referred to in Schedule A in the case referred to in Schedule B as if subsection 711(6) of the Law were modified or varied by replacing the expression "13 months" with the expression "14 months".

**Schedule A**

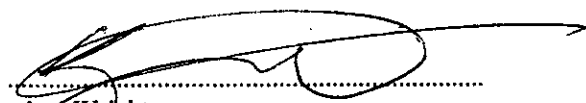
Equitiloan Limited ACN 061 383 944 (the "Responsible Entity") for the Equitiloan Income Fund ARSN 089 079 854 (the "Scheme").

**Schedule B**

The prospectus issued by the Responsible Entity dated 5 December 2000 in respect of interests in the Scheme (the "Prospectus") when read together with the supplementary prospectus to be lodged with ASIC on or before 5 January 2002 (the "Updated Prospectus") contains:

- (a) a statement to the effect that:
  - (i) the Updated Prospectus contains all information that would be required by section 710 of the Law; and
  - (ii) the Updated Prospectus does not contain any material statement that is false or misleading;
- (b) confirmation of the completeness and accuracy of all statements made in the Prospectus and if applicable, in the Updated Prospectus, which purports to be made by an expert or to be based on a statement by an expert ("Expert"); and
- (c) a consent in accordance with section 716(2) of the Law from each Expert to the inclusion of the statement referred to in clause (b) of Schedule B above.

Dated 14 December 2001.

Signed   
Kyle Jonathan Wright  
a delegate of the Australian Securities and Investment Commission.

01/1620

**Australian Securities and Investments Commission  
Corporations Act 2001 Subsection 741(1)(b)  
Declaration and Modification**

Pursuant to subsection 741(1) of the Corporations Act 2001 (the "Law"), the Australian Securities and Investments Commission (the "Commission") hereby declares that Chapter 6D of the Law shall have effect in its application to the person and the scheme referred to in Schedule A in the case referred to in Schedule B as if subsection 711(6) of the Law were modified or varied by replacing the expression "13 months" with the expression "14 months and 3 days".

**Schedule A**

WHTM Asset Management Limited ACN 080 135 897 (the "Responsible Entity") for the Wilson HTM Financial Planning Fund ACN 080 135 897 (the "Scheme").

**Schedule B**

The prospectus issued by the Responsible Entity dated 29 November 2000 in respect of interests in the Scheme (the "Prospectus") when read together with the supplementary prospectus to be lodged with ASIC on or before 28 December 2001 (the "Updated Prospectus") contains:

- (a) a statement to the effect that:
  - (i) the Updated Prospectus contains all information that would be required by section 710 of the Law; and
  - (ii) the Updated Prospectus does not contain any material statement that is false or misleading;
- (b) confirmation of the completeness and accuracy of all statements made in the Prospectus and if applicable, in the Updated Prospectus, which purports to be made by an expert or to be based on a statement by an expert ("Expert"); and
- (c) a consent in accordance with section 716(2) of the Law from each Expert to the inclusion of the statement referred to in clause (b) of Schedule B above.

Dated 14 December 2001.

Signed   
Kyle Wright  
a delegate of the Australian Securities and Investment Commission.

0 1 / 1 6 2 1

**Australian Securities and Investments Commission  
Corporations Law — Paragraph 601QA(1)(a) — Exemption**

Pursuant to paragraph 601QA(1)(a) of the Corporations Act 2001 (Law), the Australian Securities and Investments Commission (ASIC) hereby exempts each person referred to in Schedule A from section 601ED of the Law in the case referred to in Schedule B on the conditions set out in Schedule C.

**SCHEDULE A — WHO IS EXEMPT**

Any person who operates the scheme specified in Schedule B (scheme) and the following persons (promoters):

- (a) Her Majesty's Apartments Pty Ltd ACN 095 633 168; and
- (b) any other person offering an interest in such a scheme for issue or inviting persons to apply for the issue of such an interest,

other than a person who is aware that any disclosure statement required to be given to a person under this instrument in relation to the scheme was not given or was given but did not comply with this instrument.

**SCHEDULE B — SCHEMES EXEMPTED**

Operating a managed investment scheme which involves an owner (investor) of real property (strata unit), in the investor's discretion, making their strata unit available for use by a person (operator) as part of a serviced apartment, hotel, motel or resort complex located at "Bayswater Village", 33 Bayswater Road, Kings Cross, New South Wales developed in accordance with an approval of a local government organisation and in relation to which on 30 November 2001 there was no person who had bought or agreed to buy a strata unit and who, before agreeing to buy, had been offered an interest in the scheme, where:

- (a) the sale of the strata unit is not and was not conditional on participation in the serviced strata scheme;
- (b) each investor and the operator may withdraw from participation in the scheme on no more than 90 days notice and an investor that withdraws will not be bound after that notice expires to allow use of their strata unit except for occupation of the strata unit:
  - (i) by a person other than the operator or an associate of the operator; and
  - (ii) under an agreement that the operator made with that person before the notice of withdrawal was given;
- (c) each investor may, if the investor withdraws from participation in the scheme, appoint another person to manage their strata unit;
- (d) the operator is licensed in relation to the conduct of the letting services under the law of a State or Territory or holds a securities dealers licence;
- (e) no payment is liable to be made by an investor to participate in the scheme other than:
  - (i) payment of money to buy the strata unit; and
  - (ii) one or more payments of the investor's reasonable proportion of the operator's fees and expenses with respect to the management of the scheme where each such payment:
    - (A) relates to a period of no more than 3 months; and
    - (B) is reasonably commensurate with the work done or to be done, or the expenses incurred or likely to be incurred (as the case may be), by the operator during that period;

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- (f) there is no obligation on any person to ensure that other owners of strata units agree to participate in the scheme; and
- (g) the serviced apartment, hotel, motel or resort complex is operated in accordance with a written agreement entered into or to be entered into between the operator and each investor which agreement includes provisions as specified in Schedule E.

#### SCHEDULE C — CONDITIONS ON OPERATORS AND PROMOTERS

1 The operator must ensure that any part of the scheme property held in cash or on deposit with an Australian ADI or a financial institution must be held on trust for the members in a trust account and subject to audit as to whether the moneys have been dealt with in accordance with the terms of the trust by a registered company auditor at least annually;

2 Each person that is involved in making an offer of interests in the scheme for issue or inviting a person to apply for the issue of such interests (promoter) must:

- (a) not engage in any misleading or deceptive conduct or conduct that is likely to mislead or deceive in connection with those offers or invitations;
- (b) ensure that a disclosure statement complying with Schedule D is given to each person to whom an offer or invitation is made at or before the making of the offer or invitation; and
- (c) ensure that the disclosure statement is signed and dated by the operator or, if the operator is not knowingly concerned in the offer or invitation, by a promoter; and

3 The operator must comply with the provisions specified in Schedule E which are included in the agreement referred to in paragraph (g) of Schedule B.

#### SCHEDULE D — THE DISCLOSURE STATEMENT

1 The disclosure statement must:

- (a) describe the main features of the interests in the scheme;
- (b) set out the main terms and conditions of the offer or invitation; and
- (c) provide answers to the questions set out in paragraph 2 of this Schedule (the questions need not be set out, and the answers can be provided in any order or format),

sufficiently to enable a typical investor in those securities to make an informed decision whether to become a member of the scheme, having regard to every matter which is material to such a decision that is known to any person who authorised or caused the issue of the disclosure statement.

2 The questions are:

- (a) What is being offered?
  - (i) How are the investor's property rights affected by holding an interest in the scheme?
  - (ii) What key rights will investors have in relation to the use of their strata unit by the operator?
  - (iii) What sort of serviced apartment, hotel, motel or resort complex is being operated under the scheme? How will it be operated?

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- (iv) What are the key terms of any lease, licence or rights that investors are to confer on the operator in relation to the operation of the scheme?
- (v) Does the operator own or have rights in relation to any property that may adversely affect:
  - (A) how the scheme would operate if the operator were changed; or
  - (B) the amount investors are likely to receive for use of their strata unit if the property ceases to be available (for whatever reason),and, if so, what are those rights? How could the adverse effect happen?
- (b) What are the risks and returns of the investment?
  - (i) How, in general terms, will the operation of the serviced apartment, hotel, motel or resort complex generate returns for investors?
  - (ii) When and how are these returns to be calculated and made available to investors?
  - (iii) Are investors in the scheme guaranteed or promised that they will receive a particular rate of return from the scheme? If so:
    - (A) what are the conditions for receiving the benefits of this guarantee or promise;
    - (B) what (if any) are the circumstances in which the person providing the guarantee or promise may be unable to honour it;
    - (C) what is the financial position of the person giving the guarantee or promise; and
    - (D) on what basis do investors receive returns once the guarantee or promise expires?
  - (iv) If no particular rate of return is guaranteed or promised:
    - (A) is the operator aiming to achieve a particular return;
    - (B) can investors expect any particular return; or
    - (C) are returns from the scheme uncertain?
  - (v) If returns from the scheme may vary from what is aimed for or expected, or are otherwise uncertain, what are the main factors which will affect the level of return? If occupancy rates will affect the rate of return what are the main factors that will affect occupancy rates?
  - (vi) Do investors have potential liability to pay moneys in relation to the scheme or their ownership of a strata unit in any circumstances? If so, what are these liabilities and what main factors will affect the amount of these liabilities? For example, how will any repairs, refurbishment or replacement of any part of the serviced apartment, hotel, motel or resort complex and its furniture and fittings be paid for?
  - (vii) Is there a suggested minimum period of time that an investor's investment should remain in the scheme? If so, why is that period of time suggested? What, if any, are the kinds of qualifications on that suggestion?
- (c) What are the fees, charges, expenses and taxes associated with the scheme?

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- (i) What fees, charges, expenses or taxes, if any, may be payable by an investor if they join the scheme?
  - (ii) What fees, charges, expenses or taxes, if any, may be payable by an investor if they withdraw from the scheme?
  - (iii) What other fees, charges, expenses or taxes may be deducted from the assets or income of the scheme or otherwise borne by investors?
  - (iv) What general kinds of tax are likely to be payable on an investor's returns on investment in the scheme?
- (d) Who is the operator?
- (i) If the operator signs the disclosure statement, who is it and what are its credentials in operating hotels, motels, resorts or serviced apartment complexes (including details of its principal activities and relevant experience)?
  - (ii) If the operator does not sign the disclosure statement, how, and on what basis, will the operator be selected to undertake the operation of the scheme?
  - (iii) If the operator signs the disclosure statement and the operator is to engage a person to operate the complex on its behalf, what credentials will that person have to operate the hotel, motel, resort or serviced apartment complex?
  - (iv) What are the custodial arrangements for holding the money of the scheme including money held for distribution to members and to meet expenses of the scheme?
- (e) When can investments be withdrawn and transferred?
- (i) When and how can an investor withdraw from the scheme?
  - (ii) Can the interest in the scheme be transferred and, if so, in what circumstances? What legal requirements apply?
- (f) What information can be obtained?
- (i) How can the entity signing the disclosure statement be contacted?
  - (ii) Is there any particular information available to a prospective or existing investor on request made to that entity? If so, how can that information be obtained?
  - (iii) When and how is the operator to report to an investor in the scheme on the operations of the scheme (including the scheme's performance)?

3 The disclosure statement must also include a prominent statement to the effect that a person should consider whether to consult:

- (a) an investment adviser who is either a securities licensee or an authorised representative of a securities licensee;
- (b) a taxation adviser; and
- (c) a lawyer,

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before making a decision to become a member of the scheme and if the disclosure statement is given to a person that does not own and has not agreed to buy a strata unit to which the scheme relates, also before signing any contract to buy a strata unit on the basis that the person will become a member.

## SCHEDULE E — PROCEDURES FOR TRANSFERRING MANAGEMENT RIGHTS

### 1. *Transfer of management rights*

- (a) If a majority of scheme members advise the operator in writing that they wish to terminate the operator's engagement, the operator must within 9 months transfer the management rights to a person that is chosen by the operator that has not been involved in the operation (including promotion) of the scheme and is not controlled by a person that has been involved in the operation (including promotion) of the scheme.
- (b) If an operator fails to complete that transfer within the 9 month period, the operator must cause the transfer of the management rights to a replacement operator named in a written notice given by a majority of scheme members, at a price specified in the notice.
- (c) A transfer referred to in paragraphs (a) or (b) must be done as soon as practicable, but if there is a body corporate for the real property to which the scheme relates, there must be a reasonable time for members of the body corporate to consider whether to make a decision referred to in paragraph 2(b) unless the body corporate has consented to the transfer.

### 2. *Consent of body corporate to new care-taking arrangements*

- (a) If an operator receives a notice under paragraph 1(b) of this Schedule, the operator must advise all body corporate members of the name of the person to whom the transfer is to be made.
- (b) Unless the body corporate has consented to the transfer, an operator does not have to transfer the management rights to the person named in the notice described in paragraph 1(b) of this Schedule if a majority of body corporate members state in writing to the operator that the person should not be engaged by the body corporate to perform care-taking functions.
- (c) If a majority of body corporate members make a decision referred to in paragraph 2(b) of this Schedule, a majority of scheme members may then at any time name a replacement operator by a written notice, to whom the operator must transfer the management rights at a price specified in the notice and the notice will be taken to be given in accordance with paragraph 1(b) of this Schedule.
- (d) This paragraph 2 does not apply if the body corporate or a majority of body corporate members agree in writing to the transfer to the person named in a notice under paragraph 1(b) or 2(c) of this Schedule before that notice is given to the operator.

### 3. *Price payable on transfer*

The price scheme members specify in a notice under paragraph 1(b) of this Schedule must be one of the following:

- (a) the average of two valuations of the management rights by independent qualified valuers nominated by the Australian Property Institute (or another relevant independent professional body approved by ASIC); or
- (b) the highest bona fide bid for the management rights (excluding a bid by the operator or its associates) at an auction of which at least 60 days notice had been given; or
- (c) the highest bona fide amount tendered (excluding any tender by the operator or its associates) for the management rights following reasonable efforts to market the property for at least 60 days.



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4. *Voting*

- (a) In determining if there is a majority of scheme members or body corporate members, the operator and its associates and any person nominated as a replacement operator and associates of that person must not be counted.
- (b) For scheme members, a majority is based on their entitlement to vote at body corporate meetings if there is a body corporate for the property to which the scheme relates, and otherwise each member shall have one vote.
- (c) For body corporate members, a majority is based on their entitlement to vote at body corporate meetings.
- (d) A scheme member or a body corporate member makes a decision by signing a document that sets out the decision.

5. *Costs*

- (a) Any member may arrange a valuation or auction of, or may market, the management rights before or after the expiration of the 9 month period referred to in paragraph 1(a) of the Schedule for the purposes of determining a price to be specified in a notice under paragraph 1(b) of this Schedule.
- (b) If a member incurs any reasonable valuation, auction or marketing costs under paragraph 5(a) of this Schedule that member is entitled to be reimbursed out of the price payable by any person nominated by the members as transferee of the management rights when the price is paid to the operator.

6. *Assistance*

The operator must give reasonable assistance to enable the transferee to operate the resort, hotel, motel or serviced apartment complex including making available information concerning any prospective bookings.

7. *Definitions*


In this Schedule:

"scheme members" means investors in the scheme excluding the operator and its associates;

"management rights" means all real or personal property (including contractual rights) held by the operator or any of its associates that facilitates the operation of the scheme; and

"transfer" in relation to management rights means to assign or transfer the management rights or to cause another person to become the holder of those rights or rights substantially the same as those rights.

Dated the 17<sup>th</sup> day of December 2001



Signed by Kyle Wright  
as delegate of the Australian Securities and Investments Commission



01/1622

**ASIC**

Australian Securities & Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001  
Paragraph 601QA(1)(a)  
Variation**

Pursuant to paragraph 601QA(1)(a) of the Corporations Act 2001 (the Act) the Australian Securities and Investments Commission (ASIC) hereby varies the instrument referred to in Schedule A in the manner set out below:

1. By deleting the words "31 December 2001" from the first paragraph of the instrument and replacing them with the words "31 March 2002";
2. By deleting the words "31 December 2001" in condition 1 under Schedule C of the instrument and replacing them with the words "31 March 2002"; and
3. By deleting the words "31 December 2001" in condition 3 under Schedule C of the instrument and replacing them with the words "31 March 2002".

**Schedule A**

ASIC instrument of relief dated 27 September 2001 exempting Perpetual Trustees Consolidated Limited (ACN 004 029 841) and MML Management Limited (ACN 003 273 532) from compliance with subsection 601ED(5) of the Act in relation to the trust known as the Mullens Master Fund.

Dated this 20th day of December 2001

Signed by Maureen Gamble  
as delegate of the Australian Securities and Investments Commission



01/1623

**ASIC**

Australian Securities & Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001  
Paragraph 601QA(1)(a)  
Variation**

Pursuant to paragraph 601QA(1)(a) of the Corporations Act 2001 (the Act) the Australian Securities and Investments Commission (ASIC) hereby varies the instrument referred to in Schedule A in the manner set out below:

1. By deleting the words "31 December 2001" from the first paragraph of the instrument and replacing them with the words "31 March 2002";
2. By deleting the words "31 December 2001" in condition 1 under Schedule C of the instrument and replacing them with the words "31 March 2002"; and
3. By deleting the words "31 December 2001" in condition 3 under Schedule C of the instrument and replacing them with the words "31 March 2002".

**Schedule A**

ASIC instrument of relief dated 27 September 2001 exempting Perpetual Nominees (Canberra) Limited (ACN 008 476 702) and MML Management Limited (ACN 003 273 532) from compliance with subsection 601ED(5) of the Act in relation to the trust known as the Mullens Highlander Equity Fund.

Dated this 20th day of December 2001

Signed by Maureen Gamble  
as delegate of the Australian Securities and Investments Commission

01/1624

**Australian Securities and Investments Commission  
Corporations Act 2001 — Sub-section 741(1) — Exemption**

Pursuant to sub-section 741(1) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission ("ASIC") hereby exempts the persons named in Schedule A from Parts 6D.2 and 6D.3 of the Act in the case referred to in Schedule B on the conditions set out in Schedule C for the period referred to in Schedule D.

**SCHEDULE A**

BT Group plc ("BT Group") or any subsidiary of BT Group which makes an offer of securities for issue or sale of the kind referred to in Schedule B.

**SCHEDULE B**

This exemption applies to an offer for issue of options over fully paid ordinary shares in BT Group where the option is offered for no more than nominal consideration and which meets the further requirements set out in Schedule C.

**SCHEDULE C**

1. The offer must be made pursuant to an employee share scheme extended only to persons (offerees) who at the time of the offer are full or part-time employees or directors of BT Group or of associated bodies corporate of BT Group.
2. The employee share scheme must not involve a contribution plan.
3. The options to which the employee share scheme relates must not be offered, issued or sold through a trust.
4. The offer must be in writing (the offer document) and must:
  - (a) include or be accompanied by a summary, of the rules of the employee share scheme pursuant to which the offer is made;
  - (b) include an undertaking that during the period or periods during which the offeree may acquire the shares subject to the option (the offer period), an associated body corporate of BT Group which has a registered office in Australia will, within a reasonable period of the offeree so requesting, provide the offeree without charge with a copy of the rules of the employee share scheme;
  - (c) specify in respect of the shares subject to the option the Australian dollar equivalent of the acquisition price as at the time of the offer, using the relevant formula which is to be used to determine the acquisition price at some future time; and
  - (d) include an undertaking, and an explanation of the way in which, an associated body corporate of BT Group which has a registered office in Australia will, during the offer period, within a reasonable period of the offeree so requesting, make available to the offeree the information referred to in paragraph 3(c) above in relation to the acquisition price.
5. If BT Group or any associated body corporate of BT Group offers the offeree any loan or other financial assistance for the purpose of acquiring the shares subject to the option, the offer document must disclose the conditions, obligations and risks associated with such loan or financial assistance.
6. The number of ordinary shares to be received on exercise of the options the subject of the offer, when aggregated with:
  - (a) the number of ordinary shares which would be issued were each outstanding option to acquire unissued shares, being an option acquired pursuant to an employee share scheme extended only to employees or directors of BT Group and of associated bodies corporate of BT Group, were exercised; and
  - (b) the number of ordinary shares issued by BT Group during the previous 5 years pursuant to the employee share scheme or any other employee share scheme extended only to employees or directors of BT Group and of associated bodies corporate of BT Group; but disregarding any offer made, or option acquired or share issued by way of or as a result of:
    - (c) an offer to a person situated at the time of receipt of the offer outside Australia; or
    - (d) an offer that was an excluded offer or invitation within the meaning of the Act as it stood prior to the commencement of Schedule 1 to the *Corporate Law Economic Reform Program Act 1999*; or
    - (e) an offer that did not need disclosure to investors because of section 708 of the Act;must not exceed 5% of the total number of issued shares in that class of the issuer as at the time of the offer.

01/1624

7. At the time of the offer, fully paid ordinary shares in BT Group must have been continuously listed on the London Stock Exchange, and American depository shares must have been continuously listed on the New York Stock Exchange, from 19 November 2001.
8. The options issued or granted must not be exercisable until January 2005, except where the participating employee:
  - (a) dies;
  - (b) reaches 60 years of age;
  - (c) ceases to be an Employee by reason of retirement, injury, disability or redundancy; or
  - (d) ceases to be an employee by reason of the company by which the Employee is employed ceasing to be under the control of a BT Group company or the main undertaking of the company by which the Employee is employed being transferred to another company which is not under the control of a BT Group company.
9. The person making the offer (the offeror) must provide to ASIC a copy of the offer document (which need not contain details of the offer particular to the offeree such as the identity or entitlement of the offeree) and of each accompanying document not later than 7 days after the provision of that material to the offeree.
10. The offeror must ensure that an associated body corporate of BT Group which has a registered office in Australia complies with any undertaking required to be made in the offer document by reason of this instrument.

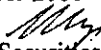
#### SCHEDULE D

This exemption shall take effect as from the date of this instrument and its effect shall cease on 31 December 2004.

#### Interpretation

Words or phrases not defined in this instrument are used as defined in ASIC Class Order 00/220 or the Act, unless otherwise stated.

Dated the 28<sup>th</sup> day of December 2001

Signed by Merinda Northrop   
as delegate of the Australian Securities and Investments Commission

02/0003

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
IN THE MATTER OF PART 7.3 OF THE CORPORATIONS LAW AND  
ASHOK KUMAR PAL**

**BANNING ORDER**

The Australian Securities and Investments Commission hereby makes an order pursuant to paragraph 829(c) and section 830 of the Corporations Law prohibiting Ashok Kumar Pal for the period until 31 March 2002 from doing an act as a representative of a dealer or an investment adviser.

Dated this 2<sup>nd</sup> day of January 2002

  
.....  
Sharman Grant, Delegate of the Australian Securities and Investments Commission

02/0004

**AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION  
SUBSECTION 741(1)  
CORPORATIONS ACT 2001  
EXEMPTION**

**PURSUANT** to subsection 741(1) of the Corporations Act 2001 ("the Act") the Australian Securities & Investments Commission ("ASIC") exempts the persons referred to in Schedule A in the case mentioned in Schedule B from paragraph 715(2)(a) of the Act.

**Schedule A**

BGA Agriservices Ltd ACN 011 057 079 ("the Corporation")

**Schedule B**

The Corporation is exempt from the requirement that the financial report to be included in the Offer Information Statement ("OIS") lodged with the ASIC on or before 28 February 2002 be a report for a 12 month period on the following conditions:

- (a) the OIS contains an audited financial report for the period 1 April 2000 to 31 January 2001; and
- (b) the OIS contains an audited financial report for the period 1 February 2001 to 31 August 2001 with a balance date that occurs within the last 6 months before the securities are first offered under the OIS; and
- (c) the OIS contains an explanation of the operating cycle of the Corporation over a 12 month period.

**Interpretation**

For the purposes of this instrument a financial report means a report that complies with the requirements of Chapter 2M of the Act.

Dated this 3rd day of January 2002



Scott Franklin  
As Delegate of the  
Australian Securities & Investments Commission

02/0005

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION  
CORPORATIONS ACT 2001 – SUBSECTION 655A(1) –DECLARATION

Pursuant to subsection 655A(1) of the Corporations Act 2001 (“Act”) the Australian Securities & Investments Commission declares that Chapter 6 of the Act applies to the person specified in Schedule A in the case referred to in Schedule B on the conditions set out in Schedule C and for so long as those conditions are met as if section 611 item 7(b) was modified by adding before the word “including” the following words:

“other than an independent expert’s report in respect of the transactions the subject of the resolution.”

SCHEDULE A - PERSON

Australian Magnesium Corporation Limited ACN 010 441 666 (“Company”).

SCHEDULE B - CASE

The general meeting of shareholders of the Company to be held in February 2002 for the purpose of approving the performance by the Company of its obligations under the 2001 Facility Agreement, Amended and Restated 2001 Subscription Deed, \$100 million Subscription Deed and Equity Contribution Deed No. 2 between, among other parties, the Company and Normandy Mining Limited ACN 009 295 765 (“Normandy”) or subsidiaries of Normandy.

SCHEDULE C – CONDITIONS

- (a) A summary of an independent expert’s report in respect of the transactions the subject of the resolution must be included in the explanatory memorandum which forms part of the notice of the meeting referred to in Schedule B.
- (b) The summary must be prepared by the independent expert who prepared the independent expert’s report.
- (c) The independent expert must state in the summary that the summary is a fair summary of the independent expert’s report.
- (d) The independent expert’s report must be posted on the website of the Company and Australian Stock Exchange Limited (“ASX”).
- (e) The explanatory memorandum must state that the independent expert’s report is on the Company’s website and the ASX website, provide each website address and state that the independent expert’s report will be provided to a shareholder of the Company free of charge, upon request.

DATED the 3<sup>rd</sup> day of January 2002.

SIGNED by Paul Leslie Gustafson  
as delegate of the Australian Securities & Investments Commission



02 / 0006

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

CORPORATIONS ACT 2001 — SUBSECTIONS 283GA(1), 601QA(1) AND 741(1) — EXEMPTION

Pursuant to subsections 283GA(1) and 741(1) of the Corporations Act 2001 (the Act) the Australian Securities and Investments Commission (ASIC) hereby exempts each person referred to in Schedule A from Parts 2L.1, 2L.2, 2L.3, 2L.4, 2L.5, 6D.2 and 6D.3 of the Act in the cases referred to in Schedule B on the conditions set out in Schedule D and for so long as those conditions are met.

And, for the avoidance of doubt, pursuant to subsection 601QA(1) of the Act ASIC hereby exempts from section 601ED of the Act, in the case of the operation of an employee share scheme which involves a contribution plan and in relation to which the exemptions referred to in the preceding paragraph are applicable, and where the conditions of those exemptions are met, each of the following persons:

- (a) each person referred to in Schedule A;
- (b) the issuer referred to in paragraph 1 of Schedule C; and
- (c) each associated body corporate of the issuer which is involved in the operation of the employee share scheme.

SCHEDULE A — PERSONS EXEMPTED

Australian Magnesium Corporation Limited ACN 010 441 666.

SCHEDULE B — CASES EXEMPTED

This exemption applies to:

- (a) an offer for issue or sale of fully paid shares being shares in the same class as shares which at the time of the offer are quoted on the ASX or an approved foreign exchange and trading in which is not suspended (quoted shares);
- (b) an offer for issue or sale of options over fully paid shares in the same class as quoted shares where the option is offered for no more than nominal consideration;
- (c) an issue or sale of fully paid shares in the same class as shares which at the time of issue or sale are quoted shares as a consequence of an offer of the kind referred to in paragraphs (a) or (b); and
- (d) an offer for issue or sale of units of fully paid shares, or other offer, issue or sale, which is made pursuant to an employee share scheme that involves such offer, issue or sale being made through a trust and which is exempted by ASIC Class Order 00/223 dated 11 March 2000 and where the conditions of that Class Order are met;

which is made pursuant to an employee share scheme which involves a contribution plan, and which meets the further requirements set out in Schedule C, but does not apply to:

- (e) an offer or grant of options for other than nominal consideration.

SCHEDULE C — FURTHER REQUIREMENTS

An offer, issue or sale to which this exemption applies must, insofar as it constitutes, includes or may result in the transfer of shares (for example through the exercise of an option), meet the following requirements:

- 1 The shares the subject of the offer or option are of a body (the issuer) securities of which have been quoted on:
  - (a) the ASX throughout the 12 month period immediately preceding the offer, without suspension during that period exceeding in total 6 trading days; or

- (b) an approved foreign exchange throughout the 36 month period, immediately preceding the offer, without suspension during that period exceeding in total 5 trading days.
- 2 The offer must be extended only to persons (offerees) who at the time of the offer are full or part-time employees or directors of the issuer or of associated bodies corporate of the issuer.
- 3 The offer must be in writing (the offer document) and:
- (a) the offer document must include or be accompanied by a copy, or a summary, of:
- (i) the rules of the employee share scheme pursuant to which the offer is made; and
- (ii) the terms and conditions of the contribution plan;
- (b) if the offer document includes or is accompanied by a summary (rather than a copy) of the rules, terms and conditions referred to in paragraph (a), the offer document must include an undertaking that during the period or periods during which the offeree may acquire the shares offered or subject to the option (the offer period), the issuer (or, in the case of an issuer which does not have a registered office in Australia, an associated body corporate of the issuer which does so have a registered office) will, within a reasonable period of the offeree so requesting, provide the offeree without charge with a copy of those rules, terms and conditions;
- (c) the offer document must specify in respect of the shares offered or subject to the option:
- (i) the acquisition price in Australian dollars of the shares;
- (ii) where the acquisition price of the shares is denominated in a foreign currency, the Australian dollar equivalent of the acquisition price as at the time of the offer; or
- (iii) where the acquisition price of the shares is determinable at some future time by reference to a formula, the Australian dollar or Australian dollar equivalent of the acquisition price were that formula applied as at the date of the offer;
- (d) the offer document must include an undertaking that, and an explanation of the way in which, the issuer (or in the case of an issuer which does not have a registered office in Australia, an associated body corporate of the issuer which does so have a registered office) will, during the offer period, within a reasonable period of the offeree so requesting, make available to the offeree the following information:
- (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of shares in the same class as the shares offered or subject to the option; and
- (ii) where either paragraph (c)(ii) or (iii) applies, the information referred to in that paragraph as updated to that date;
- (e) the offer document must also state:
- (i) the Australian ADI where contributions are held;
- (ii) the length of time they may be held; and
- (iii) the rate of interest payable (if any) on the contributions held in the account.
- 4 In the case of an offer of shares or options for issue, the number of shares the subject of the offer or to be received on exercise of an option when aggregated with:
- (a) the number of shares in the same class which would be issued were each outstanding offer or option to acquire unissued shares, being an offer made or option acquired pursuant to an employee share scheme extended only to employees or directors of the issuer and of associated bodies corporate of the issuer, to be accepted or exercised (as the case may be); and

- (b) the number of shares in the same class issued during the previous 5 years pursuant to the employee share scheme or any other employee share scheme extended only to employees or directors of the issuer and of associated bodies corporate of the issuer;

but disregarding any offer made, or option acquired or share issued by way of or as a result of:

- (c) an offer to a person situated at the time of receipt of the offer outside Australia; or
- (d) an offer that was an excluded offer or invitation within the meaning of the Corporations Law as it stood prior to the commencement of Schedule 1 to the Corporate Law Economic Reform Program Act 1999; or
- (e) an offer that did not need disclosure to investors because of section 708 of the Act;

must not exceed 5% of the total number of issued shares in that class of the issuer as at the time of the offer.

#### SCHEDULE D — CONDITIONS

- 1 The person making the offer (the offeror) must provide to ASIC a copy of the offer document (which need not contain details of the offer particular to the offeree such as the identity or entitlement of the offeree) and of each accompanying document not later than 7 days after the provision of that material to the offeree.
- 2 The offeror must ensure that the issuer (or, in the case of an issuer which does not have a registered office in Australia, an associated body corporate of the issuer which does so have a registered office), complies with any undertaking required to be made in the offer document by reason of this instrument.
- 3 Neither the issuer nor any associated body corporate of it offers the offeree any loan or other financial assistance for the purpose of, or in connection with, the acquisition of the shares to which the offer relates.

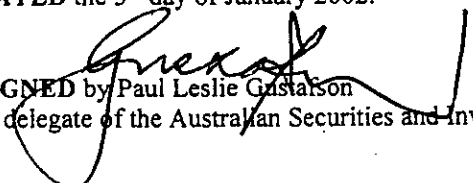
#### Interpretation

For the purposes of this instrument:

- 1 A contribution plan is a plan under which a participating offeree may save money by regular deductions from wages or salary towards paying for shares offered for issue or sale under an employee share scheme where the terms and conditions of the contribution plan include terms and conditions to the effect that:
- (a) all deductions from wages or salary made in connection with participation in the contribution plan must be authorised by the offeree on the same form of application which is used in respect of the offer, or on a form which is included in or accompanies the offer document;
- (b) any contributions made by an offeree as part of the contribution plan must be held by the issuer in trust for the offeree in an account of an Australian ADI which is established and kept by the issuer solely for the purpose of depositing contribution moneys and other money paid by employees for the shares on offer under the employee share scheme;
- (c) the offeree may elect to discontinue their participation in the contribution plan at any time and as soon as practicable after that election is made all money deposited with the Australian ADI in relation to that offeree, including any accumulated interest, must be repaid to that offeree.
- 2 A body corporate is an associated body corporate of an issuer if:
- (a) the body corporate is a related body corporate of the issuer; or
- (b) the body corporate has voting power in the issuer of not less than 20%; or
- (c) the issuer has voting power in the body corporate of not less than 20%;
- (applying the definition of "voting power" contained in section 610 of the Act).

- 3 The Australian dollar equivalent of a price shall be calculated by reference to the relevant exchange rate published by an Australian bank on the previous business day.
- 4 An offer under a scheme shall not be regarded as extended to a person other than an employee or director of the issuer or an associated body corporate of the issuer merely because such an employee or director may renounce an offer of shares made to them under the scheme in favour of their nominee.
- 5 An option shall be taken to have been offered or granted for nominal consideration if and only if the monetary consideration payable upon the issue of the option is not more than the lesser of:
  - (a) 1 cent per option; or
  - (b) 1% of the exercise price in respect of the option.
- 6 Securities shall be taken to be quoted on an approved foreign exchange if and only if quoted on:
  - (a) the New York Stock Exchange, the American Stock Exchange, the London Stock Exchange, the Tokyo Stock Exchange, the Frankfurt Stock Exchange, the Bourse de Paris, the Toronto Stock Exchange, the Zurich Stock Exchange, the Amsterdam Stock Exchange, the Milan Stock Exchange, the Stock Exchange of Hong Kong Ltd, the Stock Exchange of Singapore Limited, the New Zealand Stock Exchange or the Kuala Lumpur Stock Exchange (Main and Second Boards) provided that unless otherwise expressly stated, where any such exchange has more than one board on which securities are quoted, securities shall only be taken to be quoted on that exchange if quoted on the main board of that exchange; or
  - (b) the NASDAQ National Market.
- 7 The current market price of a share shall be taken as the price published by the principal exchange on which the share is quoted as the final price for the previous day on which the share was traded on the stock market of that exchange.

DATED the 3<sup>rd</sup> day of January 2002.

  
SIGNED by Paul Leslie Gustafson  
as delegate of the Australian Securities and Investments Commission



02/0007

**ASIC**

Australian Securities & Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001 - Paragraph 601QA(1)(a) -  
Exemption**

Pursuant to paragraph 601QA(1)(a) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission ("ASIC") hereby exempts the persons mentioned in Schedule A in the case referred to in Schedule B from section 601ED(5) of the Act on the conditions set out in Schedule C and for so long as they are met.

**Schedule A**

Diners Club Pty Limited (ACN 004 343 051) (Diners Club) or its successors or assigns or any agent of any of them in relation to the scheme or common enterprise referred to in Schedule B.

**Schedule B**

The operation of the scheme or common enterprise known as the Diners Club Rewards Program (Loyalty Scheme) that will be established by Diners Club under which members enrolled in the Loyalty Scheme (Members) will be entitled to acquire or receive benefits by way of loyalty rewards as set out in the Terms and Conditions of the Loyalty Scheme.

**Schedule C**

1. Diners Club continues to fulfil its obligations set out in the Terms and Conditions of the Loyalty Scheme.
2. Members are given adequate notice of the termination of the Rewards Program.
3. Members who are eligible to claim rewards under the Loyalty Scheme at the time of notification of its termination are allowed not less than 90 days after that time during which to claim those rewards.
4. All members enrolled in the Loyalty Scheme are given a copy of the Terms and Conditions relevant to the Loyalty scheme as amended from time to time in accordance with the Terms and Conditions of the Loyalty Scheme.

Dated this 3rd day of January 2002

*Maureen Gamble*

Signed by Maureen Gamble, a delegate of the  
Australian Securities and Investments Commission

02/0008

**Australian Securities & Investments Commission  
Corporations Act 2001— Subsection 655A(1) – Declaration**

Pursuant to subsection 655A(1) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("Commission") declares that Chapter 6 of the Act applies to the persons specified in Schedule A in the case referred to in Schedule B as if:

1. Section 9 was modified by:
  - (a) inserting the following definition after the definition of "ASIC database":  
"“ASIC Instrument” means the instrument granted by ASIC dated 20 December 2001 signed by Allan Bulman as delegate of ASIC given gazettal number 01/1605.”
  - (b) insert the following definition after the definition of "registrable body":  
"“registration statement” means a document prepared for an off-market bid which complies with sections 636 and 637 and is declared effective by the United States Securities and Exchange Commission, as supplemented.”;
2. The table in subsection 633(1) was modified by:
  - (a) omitting all of the words from the right column in item 11 and substituting in their place the following:  
"To be done no later than 15 days after the later of:
    - the target receiving a notice that all offers have been sent as required by item 6 of this table as modified by the ASIC Instrument; and
    - the target receiving a notice that all registration statements have been sent as required by item 19 of this table as modified by the ASIC Instrument"
  - (b) omitting from the right column in item 12 all of the words in the second bullet point and substituting in their place the following:  
"no later than 15 days after the later of:
    - the target receiving a notice that all offers have been sent as required by item 6 of this table as modified by the ASIC Instrument; and
    - the target receiving a notice that all registration statements have been sent as required by item 19 of this table as modified by the ASIC Instrument"

**SCHEDULE A**

Normandy Mining Limited (ACN 009 295 765) ("Target")

**SCHEDULE B**

The off-market bid by Delta Acquisition LLC (ARBN 099 040 507) for all the fully paid ordinary shares and American Depositary Shares representing fully paid ordinary shares in the Target in respect of which a bidder's statement was lodged with the Commission on 20 December 2001.

Dated this 3<sup>rd</sup> day of January 2002



Signed by: Allan Bulman  
As a Delegate of the Australian Securities and Investments Commission

02/0009

**Australian Securities & Investments Commission  
Corporations Act Section 825  
Order Revoking Licence**

**TO:** Asymmetric Capital Management Pty Ltd, ACN: 090 816 505 ("the Licensee")  
C/o White Iliffe  
Level 5 CML Building  
14 Martin Place  
Sydney NSW 2000

Pursuant to paragraph 825(a) of the Corporations Act, the Australian Securities and Investments Commission hereby revokes Licence Number 195544 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 3<sup>rd</sup> day of January 2002.

Signed .....

Linda Jones, a delegate of the Australian Securities and Investments Commission

02/0010

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
CORPORATIONS ACT 2001 – SUBSECTION 655A(1) – EXEMPTION**

Pursuant to subsection 655A(1) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("Commission") hereby exempts the person specified in Schedule A from subsection 638(5) of the Act in the case referred to in Schedule B on the conditions specified in Schedule C in relation to a statement which is included in, or accompanies, the target's statement referred to in Schedule B ("target's statement"), where the statement was made by an entity listed in Schedule D in an announcement to a securities exchange listed in Schedule E.

**SCHEDULE A**

Normandy Mining Limited (ACN 009 295 765) ("target")

**SCHEDULE B**

The takeover bid by Delta Acquisition LLC (ARBN 099 040 507) for all the fully paid ordinary shares and American Depository Shares representing fully paid ordinary shares in the target in respect of which a target's statement is to be lodged with the Commission on or about the date of this instrument.

**SCHEDULE C**

1. The target's statement either:
  - (a) informs people of their right to obtain a copy of an announcement referred to in this instrument; or
  - (b) includes a copy of the announcement.
2. If the target's statement informs people of their right to obtain a copy of an announcement, the target gives a copy of the announcement free of charge to anyone who asks for it during the offer period.
3. The target's statement states that a person who has made a statement referred to in this instrument has not consented to the statement being included in, or accompanying, the target's statement in the form and context in which it is included.

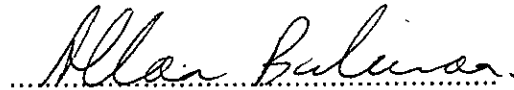
**SCHEDULE D**

1. Newmont Mining Corporation and its related bodies corporate; and
2. Franco-Nevada Mining Corporation and its related bodies corporate.

**SCHEDULE E**

1. New York Stock Exchange Inc; and
2. The Toronto Stock Exchange Inc.

Dated this 4<sup>th</sup> day of January 2002



Signed by Allan Bulman

As a Delegate of the Australian Securities and Investments Commission



**Australian Securities & Investments Commission  
Corporations Act Section 825  
Order Revoking Licence**

02/0011

: Winthrop Securities Pty Ltd, ACN: 009 280 415 ("the Licensee")  
Po Box 136  
Burswood WA 6100

Pursuant to paragraph 825(a) of the Corporations Act, the Australian Securities and Investments Commission hereby revokes Licence Number 14300 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 4<sup>th</sup> day of January 2002.

Signed .....  .....

Jeffrey Albert Scott, a delegate of the Australian Securities and Investments Commission

02/0012

**Australian Securities & Investments Commission  
Corporations Act Section 825  
Order Revoking Licence**

**TO:** Challenger Property Funds Management Limited, ACN: 078 627 013 ("the Licensee")  
Level 41, Aurora Place  
88 Phillip St  
Sydney NSW 2000

Pursuant to paragraph 825(a) of the Corporations Act, the Australian Securities and Investments Commission hereby revokes Licence Number 170823 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 4<sup>th</sup> day of January 2002.

Signed ..... *J. Scott* .....

Jeffrey Albert Scott, a delegate of the Australian Securities and Investments Commission

02/0013

**Australian Securities & Investments Commission  
Corporations Act Section 825  
Order Revoking Licence**

**TO:** Pioneer Financial Advisors Pty Ltd, ACN: 073 619 940 ("the Licensee")  
P o Box 891  
St Ives NSW 2079

Pursuant to paragraph 825(a) of the Corporations Act, the Australian Securities and Investments Commission hereby revokes Licence Number 179037 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 4<sup>th</sup> day of January 2002

Signed ..... *JAS* .....

Jeffrey Albert Scott, a delegate of the Australian Securities and Investments Commission

**Australian Securities & Investments Commission  
Corporations Act Section 825  
Order Revoking Licence**

02/0014

**TO:** Bell Securities Limited, ACN: 006 465 498 ("the Licensee")  
Level 33, Grosvenor Place  
255 George St  
Sydney NSW 2000

Pursuant to paragraph 825(a) of the Corporations Act, the Australian Securities and Investments Commission hereby revokes Licence Number 12815 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 4<sup>th</sup> day of January 2002.

Signed .....  .....

Jeffrey Albert Scott, a delegate of the Australian Securities and Investments Commission

02/0015

**Australian Securities & Investments Commission  
Corporations Act Section 825  
Order Revoking Licence**

**TO:** Unaval Holdings Pty Limited, ACN: 003 677 325 ("the Licensee")  
Po Box H165  
Australia Square  
Sydney NSW 2000

Pursuant to paragraph 825(a) of the Corporations Act, the Australian Securities and Investments Commission hereby revokes Licence Number 11233 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 4<sup>th</sup> day of January 2002.

Signed .....

Jeffrey Albert Scott, a delegate of the Australian Securities and Investments Commission

02/0016

**CORPORATIONS LAW**  
**SECTION 340**  
**ORDER**

Pursuant to subsection 340(1) of the Corporations Law (the "Law"), the AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION ("ASIC") hereby MAKES AN ORDER relieving the companies specified in Schedule 1 to this Order ("Companies") from compliance with paragraph 323D(2)(b) of the Law for the purpose of changing its financial year beginning on 1 March 2001 (the "Relevant Financial Year"), subject to the conditions set out in Schedule 2 to this Order.

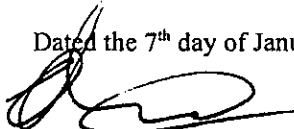
**SCHEDULE 1**

Capital Finance Australia Limited ACN 069 663 136  
Capital Corporate Finance Limited ACN 002 888 048  
Technology Leasing Corporation Limited ACN 002 888 057  
Capital Consumer Finance Limited ACN 069 457 423  
Capital Commercial Finance Limited ACN 069 305 586  
Capital Fleetlease Limited ACN 069 305 666  
Capital Finance Superannuation Proprietary Limited ACN 066 814 239  
Capital Finance Direct Limited ACN 069 060 215  
Capital Wholesale Limited ACN 068 998 425  
Inchcape Financial Services (Australia) Limited ACN 069 060 251  
Inchcape Wholesale Finance Australia Limited ACN 069 498 737

**SCHEDULE 2**

- (a) The Relevant Financial Year shall be the ten month period ending on 31 December 2001.
- (b) The notes to the financial report of the Companies for the Relevant Financial Year includes a brief statement as to the relief provided by this Order.

Dated the 7<sup>th</sup> day of January 2002.



Allan Ausbruch  
As delegate of the Australian Securities and Investments Commission

Corporations Act 2001  
Subsection 164(3)

Notice is hereby given that the ASIC will alter the registration details of the following companies 1 month after the publication of this notice, unless an order by a court or Administration Appeals Tribunal prevents it from doing so.

**AIRSTREAM CORPORATION LIMITED**

ACN 083 910 230 will change to a proprietary company limited by shares. The new name will be AIRSTREAM CORPORATION PTY LTD  
ACN 083 910 230.

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CORPORATIONS ACT 2001

SECTION 601AH(1)

Notice is hereby given that the registration of  
the companies mentioned below will be reinstated.

Dated this ninth day of January 2002

Brendan Morgan :  
DELEGATE OF  
THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

<b>Name of Company</b>	<b>ACN</b>
A.C.N. 052 466 136 PTY LTD	052 466 136
A.C.N. 062 953 557 PTY LTD	062 953 557
A.C.R. RECONSTRUCTION CO. PTY. LTD.	006 295 058
ADLSPRO PTY LTD	008 146 718
ADVANCED VENTILATION PTY LTD	076 271 666
AFTONBRIDGE PROPRIETARY LIMITED	065 206 680
ALDER GRANGE PTY. LTD.	070 140 644
ALL SEASONS STOCK FEED PTY. LTD.	073 082 845
ALOVESTILLE PTY. LTD.	088 360 187
APROLAB HOLDINGS PTY. LTD.	007 062 062
AUSTRALIAN SCORPIAN SECURITY SERVICES PTY LTD	084 840 540
BENSTEEL PTY. LTD.	081 561 935
BLOSSOM BLINDS PTY. LIMITED	003 762 525
BODENWIESER STUDIO PTY LTD	000 355 297
BOTYM CONSULTING PTY LTD	008 056 200
BUGS-BE-GONE PEST CONTROL PTY. LIMITED	073 990 824
CADDYRACK PTY. LIMITED	065 368 032
CANHANDLE PTY LIMITED	073 692 298
CCFF PTY. LTD.	092 295 960
CHIM AUSTRALIAN ENTERPRISES PTY. LIMITED	003 476 319
CONSTANCE HOLDINGS PTY LTD	001 620 597

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<b>Name of Company</b>	<b>ACN</b>
CORPORATE FINANCIAL ADVISORY SERVICES PTY LTD	081 148 709
DAMATIV PTY LTD	080 345 428
DIGITAL BABY PTY LIMITED	003 968 063
DOLRACK PTY. LTD.	006 769 839
DONNELLAN HOLDINGS PTY LTD	079 096 423
DRONSILVER PTY LTD	002 205 469
ELTHAM DECORATIVE PTY. LTD.	007 096 344
FAIRLYN PTY LTD	002 004 953
FELSMANS BUILDING INDUSTRIES PTY. LTD.	010 203 040
FINOPERTY PTY LTD	084 850 706
FITMAIN PTY LTD	064 674 353
FRAMTEC PTY LTD	078 154 533
GAMMA INVESTMENTS PTY LTD	073 061 944
GERALD MORAN & ASSOCIATES PTY. LTD.	006 068 695
GESPAN PTY LTD	064 399 846
GIX PTY LTD	005 028 526
GRANDVIEW CONSULTING PTY LTD	077 309 276
HEALTHY EARTH MANUFACTURING PTY LIMITED	088 606 231
HIDI PTY LTD	010 920 788
INSUTECH PTY LTD	008 130 112
INTERNATIONAL EQUITY ACQUISITIONS (AUST) NO. 1 PTY. LTD.	094 518 233
INTERNATIONAL EQUITY ACQUISITIONS (AUST) PTY. LTD.	090 965 254
JAMLD PTY LIMITED	079 443 486
JILKEN PTY. LIMITED	070 562 220
JUGS PTY. LTD.	093 885 191
KADCORP PTY LTD	080 195 437
KCODNAT PTY LTD	051 478 669
KEIPAIL PTY. LIMITED	010 652 945
L. & M. MC PTY. LTD.	064 797 440
L.J. PIGOTT INVESTMENT CO. PTY. LTD.	009 760 187
L.P.P. MILDURA PTY LTD	093 396 528
LANCE MILLER & ASSOCIATES PTY. LTD.	050 419 111
MACVIC LIMITED	005 034 711
MAD ROOSTER PTY LTD	093 396 519
MARBUL PTY. LTD.	010 197 378
MEGACORP DEVELOPMENTS PTY LTD	011 064 056
MERGOLD INVESTMENTS PTY. LTD.	073 493 517
MOSSTOP PTY. LIMITED	010 667 802
NEYU PTY LTD	086 521 726
NORTRADE AUSTRALIA PTY LTD	090 939 236

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<b>Name of Company</b>	<b>ACN</b>
NURADEL PTY LTD	006 778 267
NUSCO PTY LTD	057 691 184
NUT BURGER PTY LTD	074 910 848
O.K.S. INSTRUMENTS PTY LTD	002 931 768
PALMTREE HORIZONS PTY LTD	074 718 693
PASPAR PTY LTD	059 913 665
PETEKAR PTY. LTD.	091 611 308
PROMINORA PTY LTD	050 398 653
PROPERTY INVESTMENT CORPORATION PTY. LTD.	076 006 427
R.E.A. CONSULTING PTY. LIMITED	079 747 863
S.P.T. PTY LIMITED	056 257 302
SALUTA PTY LTD	093 234 345
SECURITY AT WORK PTY. LTD.	059 465 931
SILVER PENCIL PTY LIMITED	063 377 248
SIRIMAD PTY LTD	062 253 356
SKIMP PTY. LTD.	056 017 013
SOUTH CANBERRA ANAESTHESIA PTY LTD	078 501 881
SSCC PTY LTD	057 290 285
SUPERANNUATION POOL MANAGERS PTY. LTD.	090 965 236
THE ROYAL COMMONWEALTH SOCIETY (VICTORIA BRANCH)	004 427 865
TONORI PTY LTD	003 105 815
TRIKE PTY. LTD.	090 929 221
VANZ PTY LTD	093 466 356
VIESO PTY LTD	003 016 368
VIRTUE INVESTMENTS PTY. LTD.	080 913 006
W A SERVICES PTY LTD	003 094 817
WECOSE PTY. LTD.	055 176 933
WHITE HERRON PTY LTD	078 986 455
WIDJIT PTY LIMITED	068 815 074
YALVIS PTY LTD	081 002 673
ZAYCARE PTY LIMITED	081 257 927
268 - 286 PARK STREET SOUTH MELBOURNE PTY. LTD.	072 383 192

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