



Commonwealth of Australia



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

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# ASIC Gazette

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### RIGHTS OF REVIEW

Persons affected by certain decisions made by ASIC under the Corporations Act and the other legislation administered by ASIC may have rights of review. ASIC has published **Practice Note 57 [PN57] Notification of rights of review** and Information Sheet [INFO 1100] **ASIC decisions – your rights** to assist you to determine whether you have a right of review. You can obtain a copy of these documents from the ASIC Digest, the ASIC website at [www.asic.gov.au](http://www.asic.gov.au) or from the Administrative Law Co-ordinator in the ASIC office with which you have been dealing.

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0 4 / 0 3 3 2

**Australian Securities and Investments Commission****Corporations Act 2001 – Subsection 111AT(1) Order**

Pursuant to subsection 111AT(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission ("ASIC") hereby makes an order relieving the company specified in Schedule A from the requirement to comply with Part 2M.3 (Financial Reporting) of the Act in relation to the reports, financial years and half-years specified in Schedule B on the condition set out in Schedule C.

**Schedule A**

Matrix Oil N.L. (subject to a Deed of Company Arrangement)  
ACN 009 795 046 ("the Company")

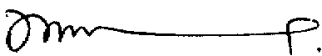
**Schedule B**

1. Reports for the Company relating to the half-year ended 31 December 2003 due to be lodged by 15 March 2004.
2. Financial years and half-years for the Company that end during the period that:
  - (a) commences on the date of this instrument; and
  - (b) concludes on the date that is the earlier of:
    - (i) two years from the date of this instrument; and
    - (ii) the date of termination of the Deed of Company Arrangement executed on 2 December 2002 between the Company and Vincent Anthony Smith and Bryan Kevin Hughes.

**Schedule C**

The Company must as soon as practicable notify the Australian Stock Exchange Limited in writing of the effect of this instrument.

Dated this 15th day of March 2004



Signed by Francis Wong

As a delegate of the Australian Securities and Investments Commission

04 / 0333

**Australian Securities and Investments Commission****Corporations Act 2001 – Subsection 111AT(1) Order**

Pursuant to subsection 111AT(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission ("ASIC") hereby makes an order relieving the company specified in Schedule A, until 30 September 2004, from the requirement to comply with Part 2M.3 (Financial Reporting) of the Act in relation to the reports specified in Schedule B on the condition set out in Schedule C.

**Schedule A**

Western Metals Limited (subject to a Deed of Company Arrangement)  
ACN 009 150 618 ("the Company")

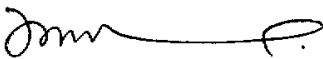
**Schedule B**

Reports for the Company relating to the half-year ended 31 December 2003.

**Schedule C**

The Company must as soon as practicable notify the Australian Stock Exchange Limited in writing of the effect of this instrument.

Dated this 15th day of March 2004



Signed by Francis Wong

As a delegate of the Australian Securities and Investments Commission

04 / 0334

**Australian Securities and Investments Commission****Corporations Act 2001 – Subsection 111AT(1) Order**

Pursuant to subsection 111AT(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission ("ASIC") hereby makes an order relieving the company specified in Schedule A from the requirement to comply with Part 2M.3 (Financial Reporting) of the Act in relation to the reports, financial years and half-years specified in Schedule B on the condition set out in Schedule C.

**Schedule A**

Australian Growth Limited (subject to a Deed of Company Arrangement)  
ACN 091 247 166 ("the Company")

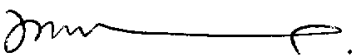
**Schedule B**

1. Reports for the Company relating to the half-year ended 31 December 2003 due to be lodged by 15 March 2004.
2. Financial years and half-years for the Company that end during the period that:
  - (a) commences on the date of this instrument; and
  - (b) concludes on the date that is the earlier of:
    - (i) two years from the date of this instrument; and
    - (ii) the date of termination of the Varied Deed of Company Arrangement executed on 19 February 2004 between the Company and Simon Andrew Read and Jeffrey Laurence Herbert.

**Schedule C**

The Company must as soon as practicable notify the Australian Stock Exchange Limited in writing of the effect of this instrument.

Dated this 15th day of March 2004



Signed by Francis Wong

As a delegate of the Australian Securities and Investments Commission

04 / 0336

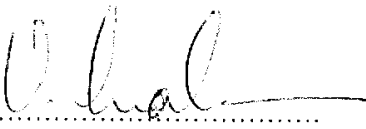
**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION****IN THE MATTER OF MERVYN WILLIAM MITCHELL****AND****SECTIONS 829 AND 830 OF THE CORPORATIONS ACT 2001 (AS IN FORCE  
PRIOR TO 11 MARCH 2002)****AND****SECTIONS 920A AND 920B OF THE CORPORATIONS ACT 2001 (AS IN  
FORCE AFTER 11 MARCH 2002)****To: MERVYN WILLIAM MITCHELL  
6 Garth Avenue  
Sandy Bay  
Tasmania 7005****ORDER PURSUANT TO SECTIONS 829 AND 830 OF THE  
CORPORATIONS ACT (AS IN FORCE PRIOR TO 11 MARCH 2002)**

**TAKE NOTICE** that the Australian Securities and Investments Commission hereby permanently prohibits Mervyn William Mitchell from the date of service of this Order, from doing an act as a representative of a dealer or an investment adviser.

**ORDER PURSUANT TO SECTIONS 920A AND 920B OF THE  
CORPORATIONS ACT (AS IN FORCE AFTER 11 MARCH 2002)**

**TAKE NOTICE** that the Australian Securities and Investments Commission hereby permanently prohibits Mervyn William Mitchell from the date of service of this Order, from providing any financial services.

Dated this 9<sup>th</sup> day of March 2004.

Signed:   
Valdemar Malinaric  
Delegate of the Australian Securities and  
Investments Commission

Your attention is drawn to section 835 of the Corporations Act 2001 (as in force prior to 11 March 2002) which provides that a person shall not contravene a banning order relating to the person (Penalty: \$2,750 or imprisonment for 6 months or both) and to sections 920C and 1311 of the Corporations Act 2001 (as in force after 11 March 2002) which provide that a person commits an offence if they engage in conduct that breaches a banning order that has been made against them (Penalty \$2,750 or imprisonment for 6 month or both).

04 / 0337

**Australian Securities and Investments Commission**  
**Corporations Act 2001**  
**Paragraph 1020F(1)(a) – Exemption**

Under paragraph 1020F(1)(a) of the *Corporations Act 2001* ("the Act"), the Australian Securities and Investments Commission ("ASIC") exempts AMP Capital Investors Limited (ABN 59 001 777 591) (the "Responsible Entity") from sections 1016A and 1016E of the Act in the case of application moneys received:

- a) from, or on behalf of, a Holder;
- b) as a result of an Application; and
- c) in accordance with the Arrangement,

for as long as and on condition that:

1. Each Holder is sent a copy of a current product disclosure statement for the AMP Capital Equity Fund (ARSN 089 596 850);
2. Each Holder is sent, with the Notice of Meeting for the meeting at which the Arrangement is approved, an information memorandum which:
  - (a) describes the Arrangement;
  - (b) describes how and when all information required by this instrument will be provided to Holders; and
  - (c) contains prominent statements located in proximity to the description of the Arrangement that a Product Disclosure Statement for a managed investment product may be updated or replaced from time to time and that a Holder who so requests will be provided free of charge with the most recent Product Disclosure Statement for the new managed investment product.
3. The Responsible Entity keeps records adequate to demonstrate that each Application is dealt with in accordance with the requirements of this instrument and the Act.
4. The Responsible Entity provides, free of charge to any Holder who requests it, a further copy of the Product Disclosure Statement (including any Supplementary Product Disclosure Statement supplementing that Statement) for the AMP Capital Equity Fund.
5. If, at the time an Application is made on the Holder's behalf, the Responsible Entity does not believe on reasonable grounds that the Holder has received the most recent Product Disclosure Statement for the new managed investment product and every Supplementary Product Disclosure Statement that supplements that Statement (the documents which the Responsible Entity does not believe on reasonable grounds to have been received by the Holder are together the "missing documents"), the Responsible Entity, as soon as

- 2 -

04 / 0337

practicable after receiving the Application, must give the Holder the missing documents and do whichever of the following is applicable:

- (a) if none of the changes described in the missing documents is materially adverse from the point of view of a reasonable person deciding as a retail client whether to acquire the new managed investment product, the Responsible Entity must issue the new managed investment product to the Holder in accordance with the Application and where there is a right to withdraw in the constitution of the registered scheme, give the applicant a notice that the applicant may immediately make a withdrawal request; or
- (b) if any change described in the missing documents is materially adverse from the point of view of a reasonable person deciding as a retail client whether to acquire the new managed investment product, the Responsible Entity must choose one of the following alternatives:
  - (i) give the Holder one month to withdraw the Application and not accept the Application until the expiration of that period; or
  - (ii) treat the Application as having been withdrawn and leave the current investment in place.

### **Interpretation**

In this instrument:

**Application** means a request to the Responsible Entity, made on behalf of the Holder pursuant to the Arrangement, to switch from the AMP Capital Blue Chip Fund (ARSN 089 596 994) to the AMP Capital Equity Fund.

**Arrangement** means an arrangement approved by a special resolution of the Holders of the AMP Capital Blue Chip Fund at a meeting held on or around June 2004 pursuant to which:

- d) units in AMP Capital Equity Fund are issued to the members of the AMP Capital Blue Chip Fund in substitution for capital distributions upon a compulsory redemption of their units; and
- e) at the same time, the responsible entity of the AMP Capital Equity Fund is issued with units in the AMP Capital Blue Chip Fund and becomes the sole unitholder in that fund.

**Holder** means a person who holds an interest in the AMP Capital Blue Chip Fund.

**new managed investment product** means the AMP Capital Equity Fund.

**switch** means redemption of interests in a registered scheme and reinvestment of the proceeds in interests in another registered scheme where both schemes are operated by the Responsible Entity.

- 3 -

Dated this 19<sup>th</sup> day of March 2004

04 / 03 37



Signed by Greg Heaton  
as a delegate of the Australian Securities and Investments Commission



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

**0 4 / 0 3 3 8**

Pursuant to paragraph 601QA(1)(a) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission exempts the person named in Schedule A from paragraph 601FC(1)(d) of the Act in the case set out in Schedule B in relation to the activity set out in Schedule C and on to the conditions set out in Schedule D.

**Schedule A**

The responsible entity of AMP Capital Blue Chip Fund (ARSN 089 596 994), currently AMP Capital Investors Limited (ABN 59 001 777 591) ("the RE").

**Schedule B**

Where the RE implements and administers an arrangement approved by a special resolution of unitholders of the AMP Capital Blue Chip Fund at a meeting held on or around June 2004 pursuant to which:

1. units in AMP Capital Equity Fund (ARSN 089 596 850) are issued to the members of the AMP Capital Blue Chip Fund who are Eligible Investors in substitution for capital distributions upon a compulsory redemption of their units; and
2. at the same time, the responsible entity of the AMP Capital Equity Fund or its nominee is issued with units in the AMP Capital Blue Chip Fund and becomes the sole unitholder in that fund ("the Proposal");

and where the RE reasonably considers that:

3. it would be in the best interests of members of the AMP Capital Blue Chip Fund to exclude from participation in the Proposal any members of the AMP Capital Blue Chip Fund whose address (as recorded in the register of members of the AMP Capital Blue Chip Fund) is in a jurisdiction where it is not practical to permit participation in the Proposal ("Excluded Members"); and
4. such exclusion is not unfair to those Excluded Members.

**Schedule C**

The exclusion from participation in the Proposal of any Excluded Members.

- 2 -

## Schedule D

04 / 0338

Before the Proposal is implemented any Excluded Members are:

1. redeemed out of the AMP Capital Blue Chip Fund in accordance with the constitution of the AMP Capital Blue Chip Fund; and
2. notified in writing of this exemption.

**Interpretation**

In this instrument:

**Eligible Investor** means all unitholders of the AMP Capital Blue Chip Fund registered as at the day before the Proposal is implemented as holders of units of the Blue Chip Fund other than:

- (a) Excluded Members;
- (b) the responsible entity of the AMP Capital Equity Fund or its agent or nominee.

Dated this 19<sup>th</sup> day of March 2004



Signed by Greg Heaton  
as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(c)

04 / 03 39

Order revoking licence

**TO:** T.I.M. Management Ltd, ACN 006 402 080 (“the Licensee”)  
Level 15  
465 Victoria Ave  
CHATSWOOD NSW 2067

Under paragraph 825(c) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 12765 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 18<sup>th</sup> day of March 2004



Signed by Kathryn Flanagan

as a delegate of the Australian Securities and Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(c)**

**04 / 03 40**

**Order revoking licence**

**TO:** Tyndall Funds Management (NSW) Ltd, ACN 003 326 654 (“the Licensee”)  
Level 15  
465 Victoria Ave  
CHATSWOOD NSW 2067

Under paragraph 825(c) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 11647 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 18<sup>th</sup> day of March 2004



Signed by Kathryn Flanagan  
as a delegate of the Australian Securities and Investments Commission

Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(c)

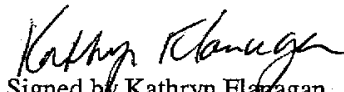
04 / 03 41

**Order revoking licence**

**TO:** Tyndall Funds Management (VIC) Ltd, ACN 006 811 605 (“the Licensee”)  
Level 15  
465 Victoria Ave  
CHATSWOOD NSW 2067

Under paragraph 825(c) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 12884 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 18<sup>th</sup> day of March 2004



Signed by Kathryn Flanagan  
as a delegate of the Australian Securities and Investments Commission

04 / 0342

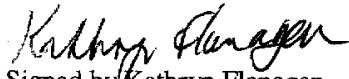
**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**Order revoking licence**

**TO:** Dresdner Kleinwort Wasserstein Securities (Australia) Pty Limited,  
ACN 050 215 560 (“the Licensee”)  
Level 24  
363 George St  
SYDNEY NSW 2000

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 15338 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 18<sup>th</sup> day of March 2004



Signed by Kathryn Flanagan  
as a delegate of the Australian Securities and Investments Commission

04 / 0346

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**Order revoking licence**

**TO:** Agribusiness Securities Limited (“the Licensee”)  
208 Sutton Grange Road  
FARADAY VIC 3451

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 179430 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 10th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission

Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)

04 / 03 47

**Order revoking licence**

**TO:** Garry Thomas Management Consultants Pty Ltd (“the Licensee”)  
10 Culmara Pl  
ENGADINE NSW 2233

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 11335 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 10th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission



04 / 0348

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**Order revoking licence**

**TO:** Meridian FP Pty Ltd (“the Licensee”)  
PO Box 175  
KALGOORLIE WA 6433

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 206223 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 10th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**0 4 / 0 3 4 9**

**Order revoking licence**

**TO:** FPS (Australia) Pty Ltd (“the Licensee”)  
PO Box 1326  
WEST PERTH WA 6872

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 161821 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 10th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

04 / 0350

**Order revoking licence**

**TO:** Albert Financial Services Pty Ltd (“the Licensee”)  
PO Box 215  
CAMBERWELL VIC 3124

Under paragraph 825(c) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 13046 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 10th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission

04 / 0351

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**Order revoking licence**

**TO:** Aspect Financial Pty Ltd (“the Licensee”)  
Locked Bay 25  
Royal Exchange  
SYDNEY NSW 1225

Under paragraph 825(c) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 176522 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 10th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission

04 / 0352

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**Order revoking licence**

**TO:** Investment Licensing Pty Ltd (“the Licensee”)  
PO Box 2463  
FORTITUDE VALLEY QLD 4006

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 160599 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 11th day of March 2004



Signed by Sharon Rodgers  
As a delegate of the  
Australian Securities and Investments Commission

Australian Securities and Investment Commission  
Corporations Act 2001 – Paragraph 1442(2)(a)  
Exemption

04 / 0353

Pursuant to paragraph 1442(2)(a) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission ("ASIC") hereby exempts the person specified in Schedule A from subparagraph 1438(3)(b)(iii) and subsection 1438(6) of the Act in the case specified in Schedule B.

## Schedule A


Australian Olives Limited (ACN 078 885 042) as responsible entity of the following scheme:

Scheme Name	Australian Registered Scheme Number
Australian Olives Project No. 6	107 866 259

## Schedule B

Where on or within 5 business days of the date of this instrument Australian Olives Limited lodges with ASIC for the scheme identified in Schedule A a notice pursuant to paragraph 1438(3)(b) of the Act (excluding subparagraph (iii)) (the "opt-in notice") and annexes to the opt-in notice a letter addressed to ASIC setting out the circumstances of the lodgement of the opt-in notice.

Dated this 24th day of February 2004



Signed by Maree O'Brien  
as a delegate of the Australian Securities and Investments Commission



04 / 0356

## **Australian CS Facility Licence (ASX Settlement and Transfer Corporation Pty Limited) Variation Notice 2004 (No. 1)**

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I, ROSS CAMERON, Parliamentary Secretary to the Treasurer, issue this Notice under paragraph 825A (2) (b) of the *Corporations Act 2001*.

Dated 11 March 2004

Parliamentary Secretary to the Treasurer

---

**1 Name of Notice**

This Notice is the *Australian CS Facility Licence (ASX Settlement and Transfer Corporation Pty Limited) Variation Notice 2004 (No. 1)*.

**2 Commencement**

This Notice commences on 11 March 2004.

**3 Variation of *Australian CS Facility Licence (ASX Settlement and Transfer Corporation Pty Limited) 2002***

Schedule 1 varies the *Australian CS Facility Licence (ASX Settlement and Transfer Corporation Pty Limited) 2002*.

Schedule 1 Variations

04 / 0356

**Schedule 1 Variations**

(section 3)

**[1] Section 3, after definition of Act***insert**derivative* has the meaning given by section 761D of the Act.**[2] Section 3, definition *old Corporations Act****substitute**security* has the meaning given by section 761A of the Act.**[3] Section 4***omit everything after*  
facility*insert*

that:

- (a) is a continuation of the facility that, immediately before 11 March 2004, was operated by ASX Settlement and Transfer Corporation Pty Limited; and
- (b) is operated in accordance with the operating rules of ASX Settlement and Transfer Corporation Pty Limited.

*Note* Changes to the infrastructure (including but not limited to the computer and associated systems) or operations of the facility would not of themselves necessitate a variation of the description of the facility. The description does not limit the facility to operating as it does at 11 March 2004 but rather applies to the facility as it develops over time, operating subject to the operating rules in force from time to time and providing services in relation to the classes of financial products specified in section 5.

**[4] Section 5***substitute***5 Classes of financial products**

The classes of financial products in respect of which the facility can provide services are:

- (a) derivatives; and
- (b) securities; and
- (c) financial products mentioned in paragraph 764A (1) (b) of the Act; and



Variations Schedule 1

**04 / 0356**

- 
- (d) financial products mentioned in paragraph 764A (1) (ba) of the Act that relate to a managed investment scheme that is not registered because of an exemption or modification of Chapter 5C of the Act; and
  - (e) financial products to which Part 7.11 of the Act applies because of section 1075A of the Act.



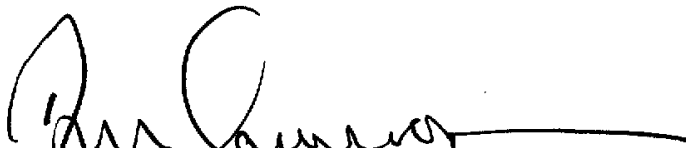
04 / 03 57

## Australian Market Licence (ASX Futures Exchange Pty Limited) Cancellation Notice 2004

---

I, ROSS CAMERON, Parliamentary Secretary to the Treasurer, issue this Notice under section 797B of the *Corporations Act 2001*.

Dated 11 March 2004



Parliamentary Secretary to the Treasurer

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**1 Name of Notice**

This Notice is the *Australian Market Licence (ASX Futures Exchange Pty Limited) Cancellation Notice 2004*.

**2 Commencement**

This Notice commences on 11 March 2004.

**3 Cancellation of Australian Market Licence (ASX Futures Exchange Pty Limited) 2002**

*Australian Market Licence (ASX Futures Exchange Pty Limited) 2002* is cancelled.



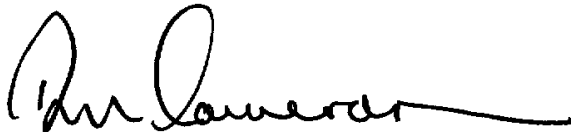
04 / 03 58

## Australian Market Licence (Australian Stock Exchange Limited) Variation Notice 2004 (No. 1)

---

I, ROSS CAMERON, Parliamentary Secretary to the Treasurer, issue this Notice under section 796A of the *Corporations Act 2001*.

Dated 11 March 2004



Parliamentary Secretary to the Treasurer

---

**1 Name of Notice**

This Notice is the *Australian Market Licence (Australian Stock Exchange Limited) Variation Notice 2004 (No. 1)*.

**2 Commencement**

This Notice commences on 11 March 2004.

**3 Variation of *Australian Market Licence (Australian Stock Exchange Limited) 2002***

Schedule 1 varies the *Australian Market Licence (Australian Stock Exchange Limited) 2002*.

Schedule 1 Variations

04 / 0358

**Schedule 1 Variations**

(section 3)

**[1] Section 3, after definition of Act***insert**derivative* has the meaning given by section 761D of the Act.*Division 3 arrangements* has the meaning given by section 880B of the Act.*fidelity fund* has the meaning given by section 880B of the Act.*Note* Section 880B has been modified in relation to a licensed market by regulation 7.5.01A of the *Corporations Regulations 2001*.**[2] Section 3, after definition of FSR commencement***insert**security* has the meaning given by section 761A of the Act.**[3] Section 3, definition of old Corporations Act***omit***[4] Section 4***omit everything after**operate**insert*

the financial market that:

- (a) is a continuation of the markets, that immediately before 11 March 2004, were operated by:
  - (i) Australian Stock Exchange Limited; and
  - (ii) ASX Futures Exchange Pty Ltd; and
- (b) is operated in accordance with the operating rules of the Australian Stock Exchange Limited.

Variations Schedule 1

04 / 03 58

**[5] Section 4, at the foot***insert*

*Note* Changes to the infrastructure (including but not limited to the computer and associated systems) or operations of the market would not of themselves necessitate a variation of the description of the market. The description does not limit the market to operating as it does at 11 March 2004 but rather applies to the market as it develops over time, operating subject to the operating rules in force from time to time and providing services in relation to the classes of financial products specified in section 5.

**[6] Sections 5 and 6***substitute***5 Classes of financial products**

The classes of financial products that can be dealt with on the market are:

- (a) securities; and
- (b) financial products mentioned in paragraph 764A (1) (b) of the Act; and
- (c) financial products mentioned in paragraph 764A (1) (ba) of the Act that relate to a managed investment scheme that is not registered because of an exemption or modification of Chapter 5C of the Act; and
- (d) derivatives; and
- (e) debentures, stocks or bonds issued or proposed to be issued by a government; and
- (f) transferable certificates of deposit that are financial products under Division 3 of Part 7.1 of the Act.

**6 Clearing and settlement facility**

- (1) Subject to subsections (2) and (3), Australian Stock Exchange Limited must have appropriate clearing and settlement arrangements for transactions, effected through the market, for each kind of financial product dealt with on the market, with:
  - (a) Australian Clearing House Pty Limited; or
  - (b) ASX Settlement and Transfer Corporation Pty Limited; or
  - (c) any other CS facility licensee approved for the purpose by the Minister.
- (2) Australian Stock Exchange Limited is not required to have clearing and settlement arrangements for transactions:
  - (a) that are effected through the part of the market known as the wholesale loan securities market; and
  - (b) that, on commencement of this Licence, are settled by arrangements made between the parties in accordance with market conventions.

Schedule 1 Variations

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- (3) Australian Stock Exchange Limited must have operating rules that provide for the procedure for settling transactions, effected through the market, that:
- (a) cannot be cleared and settled through a facility mentioned in subsection (1); and
  - (b) are not transactions mentioned in subsection (2).

**[7] After section 6**

*insert*

**7 Compensation arrangements**

- (1) Australian Stock Exchange Limited must maintain a fidelity fund as the source of funds for its Division 3 arrangements.
- (2) The minimum amount of cover for its Division 3 arrangements is \$2 million.



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## Australian CS Facility Licence (Options Clearing House Pty Limited) Variation Notice 2004 (No. 1)

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I, ROSS CAMERON, Parliamentary Secretary to the Treasurer, issue this Notice under sections 825A and 826A of the *Corporations Act 2001*.

Dated 11 March 2004

Parliamentary Secretary to the Treasurer

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**1 Name of Notice**

This Notice is the *Australian CS Facility Licence (Options Clearing House Pty Limited) Variation Notice 2004 (No. 1)*.

**2 Commencement**

This Notice commences on 11 March 2004.

**3 Variation of Australian CS Facility Licence (Options Clearing House Pty Limited) Notice 2002**

Schedule 1 varies the *Australian CS Facility Licence (Options Clearing House Pty Limited) Notice 2002* (as varied by *Australian CS Facility Licence (Options Clearing House Pty Limited) Variation Notice 2002 (No. 1)*).

Schedule 1 Variations

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**Schedule 1 Variations**

(section 3)

**[1] Section 1***substitute***1 Name of Licence**

This Licence is the *Australian CS Facility Licence (Australian Clearing House Pty Limited) 2002*.

**[2] Section 3, after definition of FSR commencement***insert*

*security* has the meaning given by section 761A of the Act.

**[3] Section 4***omit everything after**granted**insert*

to Australian Clearing House Pty Limited to operate the clearing and settlement facility that:

- (a) is a continuation of the facility that, immediately before 11 March 2004, was operated by Options Clearing House Pty Limited and subsequently by Australian Clearing House Pty Limited; and
- (b) is operated in accordance with the operating rules of Australian Clearing House Pty Limited.

**[4] Section 4, at the foot***insert*

*Note* The description of the facility is intended to permit Australian Clearing House Pty Limited to provide clearing and settlement services to the market operated by Australian Stock Exchange Limited as well as to other markets. Changes to the infrastructure (including but not limited to the computer and associated systems) or operations of the facility would not of themselves necessitate a variation of the description of the facility. The description does not limit the facility to operating as it does at 11 March 2004 but rather applies to the facility as it develops over time, operating subject to the operating rules in force from time to time and providing services in relation to the classes of financial products specified in section 5.



Variations Schedule 1

**04 / 0359****[5] Section 5***substitute***5 Classes of financial products**

The classes of financial products in respect of which the facility can provide services are:

- (a) derivatives; and
- (b) securities; and
- (c) financial products mentioned in paragraph 764A (1) (b) of the Act; and
- (d) financial products mentioned in paragraph 764A (1) (ba) of the Act that relate to a managed investment scheme that is not registered because of an exemption from, or modification of, Chapter 5C of the Act.



ASIC 04/0360

Australian Securities & Investments Commission

**AUSTRALIAN SECURITIES AND  
INVESTMENTS COMMISSION**


**IN THE MATTER OF JOSEPH PETER KARRA  
AND  
PART 7.6 OF THE CORPORATIONS ACT 2001**

To: Joseph Peter Karra  
73 First Avenue  
Mount Lawley  
Western Australia

**BANNING ORDER PURSUANT TO SECTION 830  
OF THE CORPORATIONS ACT 2001**

**TAKE NOTICE** that the Australian Securities and Investments Commission **HEREBY PROHIBITS JOSEPH PETER KARRA** for a period of **THREE (3) YEARS** from the date of service of this Banning Order from doing an act as a representative of a securities dealer.

Dated this 30<sup>th</sup> day of January 2004.

Signed: 

RENATO SBURLATI  
Delegate of the  
Australian Securities and Investments Commission.

\*Your attention is drawn to section 920C of the Corporations Act 2001 which provides that a person must not breach a banning order that has been made against the person.