



ASIC

Australian Securities & Investments Commission

[CO 03/966]

Application of Part 8.6 of the old Corporations Act to participants of Sydney Futures Exchange

Issued 12/11/2003

Class Order [CO 03/966] determines that Part 8.6 of the old Corporations Act applies to persons who are participants (but not members) of the Sydney Futures Exchange (SFE) as if they were members of the SFE.

Australian Securities and Investments Commission
Corporations Act 2001 — Subsection 1445(1) — Determination

Under subsection 1445(1) of the *Corporations Act 2001* (the “Act”) the Australian Securities and Investments Commission determines that:

- (a) Part 8.6 of the old Corporations Act, in its application in relation to the market operated by SFE because of section 1415 of the Act, applies in respect to each person in the class of persons referred to in the Schedule as if references to a contributing member included a reference to an SFE participant; and
- (b) for the avoidance of doubt, the *Corporations (Futures Organisations Levies) Act 2001* applies in relation to each person in the class of persons referred to in the Schedule, as if:
 - (i) references to provisions of the old Corporations Act were references to those provisions in their operation as affected by paragraph (a); and
 - (ii) references to a member and references to a contributing member included a reference to an SFE participant.

Schedule

A person:

- (a) who holds a futures brokers licence within the meaning of the old Corporations Act; and
- (b) who is an SFE participant; and
- (c) who is not a member of SFE.

Interpretation

In this instrument:

“old Corporations Act” has the meaning given by subsection 1410(1) of the Act;

“SFE” means Sydney Futures Exchange Limited (ACN 000 943 377); and

“SFE participant” means a “Participant” within the meaning of the operating rules of SFE.

Dated this 12th day of November 2003

Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments
Commission