



**ASIC**

Australian Securities & Investments Commission

**[CO 04/291]**

**CHESSE Depository Nominees — FSG relief  
in relation to CHESSE Depository Interests  
(CDIs)**

*Issued 11/3/2004*

*Effective 11/3/2004*

*Class Order [CO 04/291] provides CHESSE Depository Nominees Pty Ltd (CDN) with an extension of transition until 11 June 2004 to comply with Part 7.7 of the Corporations Act 2001.*

*From 11 June 2004, this class order modifies s940C(1)(a) to permit CDN to provide a Financial Services Guide or a Supplementary Financial Services Guide to CHESSE Depository Interest (CDI) clients by making it available on the Internet in the case set out in this class order.*

Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraphs 951B(1)(a) and (c) —  
Exemption and Declaration

Under paragraph 951B(1)(a) of the *Corporations Act 2001* (the “Act”) the Australian Securities and Investments Commission (“ASIC”) exempts CHESSE Depository Nominees Pty Ltd (ACN 071 346 506) (“CDN”) from Division 2 of Part 7.7 of the Act until 11 June 2004.

And under paragraph 951B(1)(c) of the Act ASIC declares that, with effect from 12 June 2004, Part 7.7 of the Act applies in relation to CDN in the case set out in the Schedule as if that Part were modified or varied as follows:

1. at the end of subparagraph 940C(1)(a)(iii) delete “and” and substitute “or”; and
2. immediately after subparagraph 940C(1)(a)(iii) insert the following new subparagraph:
  - “(iv) a Financial Services Guide or a Supplementary Financial Services Guide relating only to the provision by CHESSE Depository Nominees Pty Ltd (ACN 071

346 506) of a custodial or depository service to the Holder of a CDI as defined in the operating rules of ASX Settlement and Transfer Corporation Pty Ltd (ACN 008 504 532), and is made available to the client, or the client's agent, on an Internet website; and”.

### **Schedule**

Where all of the following apply:

1. CDN makes available on an Internet website any Financial Services Guide or Supplementary Services Guide required by Part 7.7 of the Act.
2. CDN takes all reasonable steps (including, without limitation, all reasonable steps to cause any necessary amendment to relevant Rules) to include, or cause to be included, in each statement relating to a Holding of CDIs provided to a Holder:
  - (a) details of the Internet address at which the Financial Services Guide or Supplementary Financial Services Guide may be accessed; and
  - (b) notice of a toll free telephone number through which persons may request a printed copy of the Financial Services Guide or Supplementary Financial Services Guide.
3. CDN takes all reasonable steps (including, without limitation, all reasonable steps to cause any necessary amendments to relevant Rules) to cause to be included in the next notice of AGM of each Issuer of a CDI sent after 30 June 2004 the matters referred to in paragraphs 2(a) and (b) of this Schedule.
4. CDN gives a printed copy of the Financial Services Guide or Supplementary Financial Services Guide free of charge to any person who asks for it.

### **Interpretation**

In this instrument:

*CDI* has the meaning given in Rule 2.13.1 of the Rules;

*Financial Services Guide* has the meaning given by section 761A of the Act;

*Holder* has the meaning given in Rule 2.13.1 of the Rules;

*Holding* has the meaning given in Rule 2.13.1 of the Rules;

*Issuer* has the meaning given in Rule 2.13.1 of the Rules;

*Rules* means the operating rules of ASX Settlement and Transfer Corporation Pty Limited (ACN 008 504 532); and

*Supplementary Financial Services Guide* has the meaning given by section 761A of the Act.

### **Commencement**

This instrument commences on 11 March 2004.

Dated this 11th day of March 2004

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