



**ASIC**  
Australian Securities &  
Investments Commission

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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 2001* and the other legislation administered by ASIC may have rights of review. ASIC has published Regulatory Guide 57 *Notification of rights of review* (RG57) and Information Sheet *ASIC decisions – your rights* (INFO 9) 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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14-0874

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 911A(2)(l) – Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 911A(2)(l) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 14-0874.

**Commencement**

3. This instrument commences on gazettal.

**Exemption**

4. Religare Capital Markets (Hong Kong) Limited ARBN 140 313 499, a company incorporated in Hong Kong (*Company*) is exempt from the requirement to hold an Australian Financial Services Licence in relation to the provision of the financial services specified in paragraph 1 of Schedule B of the class order in this jurisdiction to wholesale clients.

**Where this instrument applies**

5. This instrument applies where the Company meets the requirements specified in Schedules A (except for paragraphs (d), (e) and (f)) and B of the class order.

**Conditions**

6. The Company must take reasonable steps to comply with the requirements specified in Schedule C of the class order.

**Where this instrument ceases to apply**

7. This instrument ceases to apply if both of the following are satisfied:
  - (a) the Company becomes aware or should reasonably have become aware of matters that give it reason to believe that it has failed, other than in an immaterial respect, to comply with a requirement set out in Schedule C of the class order;
  - (b) the Company has not provided full particulars of the failure to ASIC (to the extent that the Company knows those particulars or would have known them if it had undertaken reasonable enquiries) within 15 business days after the Company became so aware or should reasonably have become so aware.

14-0874

**Interpretation**

In this instrument:

*class order* means ASIC Class Order [CO 03/1103] (the *class order*) as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the *Legislative Instruments Act 2003*.

*wholesale client* has the meaning given by section 761G of the Act.

Dated this 19th day of September 2014



Signed by Therese Brabet  
as a delegate of the Australian Securities and Investments Commission



14-0891

**ASIC**

Australian Securities & Investments Commission

**Australian Securities & Investments Commission  
Corporations Act 2001 Section 915B**

**Notice of Cancellation of an Australian Financial Services Licence**

**TO:** GFT Global Markets UK Limited ("The Licensee")  
A.R.B.N.140 977 171  
44 Martin Place  
Sydney NSW 2000

Pursuant to section 915B of the **Corporations Act 2001**, the Australian Securities and Investments Commission hereby cancels Licence Number 344086 held by the Licensee with effect from the date on which this notice is given to the Licensee.

Dated this 18<sup>th</sup> Day of September 2014

A handwritten signature in black ink, appearing to be 'Joyce Krashow'.

Signed .....

Joyce Krashow, a delegate of the Australian Securities and Investments Commission

14-0906

**Australian Securities and Investments Commission  
Corporations Act 2001 — Subsection 601QA(1) — Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 601QA(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 14-0906.

**Commencement**

3. This instrument commences on the day it is signed.

**Declaration**

4. Chapter 5C of the Act applies to The Trust Company (RE Services) Limited ACN 003 278 831 (the *responsible entity*) in its capacity as the responsible entity of each of the following registered schemes (*Schemes*):
  - a) The Trust Company Australian Share Fund ARSN 093 447 137;
  - b) The Trust Company Bond Fund ARSN 093 447 600;
  - c) The Trust Company Diversified Property Fund ARSN 155 454 078;
  - d) The Trust Company Income Fund ARSN 093 446 256;
  - e) The Trust Company Philanthropy Fund ARSN 129 942 052; and
  - f) The Trust Company Share Imputation Fund ARSN 093 105 732,

as if section 601FL were modified or varied as follows:

- (a) in subsection (1) omit all the text after the word “it”, substitute:

“must either:

- (a) call a members’ meeting to explain its reason for wanting to retire and to enable the members to vote on a resolution (which must be an extraordinary resolution if the scheme is not listed) to choose a company to be the new responsible entity; or
- (b) propose a related body corporate to be the new responsible entity in accordance with subsection (1A).”;

- (b) after subsection (1) insert:

“(1A) The requirements for proposing a related body corporate (the *proposed responsible entity*) to be the new responsible entity are as follows:

- (a) The responsible entity must give members notice of a proposal to choose the proposed responsible entity, to be the scheme's new responsible entity.
- (b) The notice to members must:
  - (i) set out:
    - (A) the responsible entity's reasons for wanting to retire; and
    - (B) such information as can reasonably be expected to be material to a member in forming a view as to the choice of the proposed responsible entity; and
    - (C) information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur; and
    - (D) how members can access on the responsible entity's web site current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur; and
  - (ii) state prominently that if:
    - (A) members who together hold at least 5% of the total value of the interests held by members; or
    - (B) 100 members,  
  
who would be entitled to vote if the proposal were put as a proposed resolution to a meeting of members under paragraph (1)(a), ask for a vote on the choice of the proposed responsible entity by giving written notice received by the responsible entity within 21 days from the date the notice is sent, the responsible entity will either arrange a postal vote or convene a meeting to vote on a resolution for the choice of the proposed responsible entity; and
  - (iii) be accompanied by a form which can be ticked to ask for a vote; and
  - (iv) state prominently a reply paid address of the responsible entity to which the form may be sent.

- (c) The responsible entity must prominently disclose on its web site current information about the proposed timing of the retirement of the responsible entity and the manner in which that retirement will occur.
- (d) If sufficient members ask for a vote in accordance with the notice, the responsible entity must arrange for a postal vote or, if the responsible entity chooses, convene a meeting in accordance with Part 2G.4 to vote on the choice of the proposed responsible entity as soon as possible.
- (e) If there is a postal vote:
  - (i) a voting paper must be sent to each member stating a reply paid address of the responsible entity to which the voting paper may be sent; and
  - (ii) the responsible entity must notify the members in, or in a document accompanying, the voting paper that:
    - (A) the proposed responsible entity will be chosen as the new responsible entity if at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the choice; and
    - (B) only votes received by the responsible entity within 28 days after the issue of the voting paper will be counted.
  - (f) If a meeting is convened the resolution to choose the new responsible entity must be an extraordinary resolution if the scheme is not listed."; and
- (c) after subsection (2) insert:
  - “(2A) If a postal vote is arranged under paragraph (1A)(d) and at least 50% of the total votes that may be cast by members that would be eligible to vote at a meeting under paragraph (1)(a) are cast in favour of the proposed responsible entity, that entity is taken for the purposes of subsection (2) to have been chosen by a resolution of members on the last day on which postal votes may be received in order to be counted.
  - (2B) If:
    - (a) a related body corporate is proposed to be the new responsible entity in accordance with subsection (1A); and

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- (b) sufficient members do not ask for a vote to choose the entity in accordance with the notice referred to in paragraph (1A)(b); and
- (c) the entity has consented in writing to becoming the scheme's responsible entity,

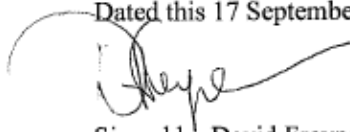
then:

- (d) as soon as practicable and in any event within 2 business days after the end of the period in which a member may ask for such a vote, the current responsible entity must lodge a notice with ASIC asking it to alter the record of the scheme's registration to name the proposed responsible entity as the scheme's responsible entity; and
- (e) the notice must be accompanied by a certificate from the current responsible entity that it reasonably considers that the appointment of the proposed responsible entity would be in the best interests of members with a summary of the responsible entity's reasons as to why this is the case."

**Where this declaration applies**

5. This declaration applies where Perpetual Investment Management Limited ACN 000 866 535 has consented in writing to becoming the new responsible entity of the Schemes.
6. This declaration ceases to apply on 28 February 2015.

Dated this 17 September 2014



Signed by David Freyne  
as a delegate of the Australian Securities and Investments Commission



14-0910

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and  
1020F(1)(b) – Exemptions**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument [14-0910].

**Commencement**

3. This instrument commences on gazettal.

**Exemptions**

4. The issuer does not have to comply with Part 7.9 of the Act where the issuer:
  - (a) makes an eligible incentive plan offer;
  - (b) offers to arrange for the issue of financial products under an eligible incentive plan offer; or
  - (c) issues a financial product under an eligible incentive plan offer;on the conditions set out in this instrument and for so long as the conditions are met.
5. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
  - (a) a financial service consisting of general advice reasonably given in connection with the eligible incentive plan offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement to the effect that any advice given by the issuer in connection with the offer is general advice only, and that employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice;
  - (b) a custodial or depositary service in connection with an eligible incentive plan offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;

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- (c) dealing in a financial product in the course of providing a custodial or depository service covered by paragraph (b);
  - (d) issuing a financial product under an eligible incentive plan offer covered by paragraph 4 of this instrument; and
  - (e) dealing in a financial product in connection with an eligible incentive plan offer where any acquisition by purchase or disposal of the product by the issuer occurs either:
    - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
    - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
6. Where the issuer is exempt from Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer also does not have to comply with section 992A of the Act in relation to an eligible incentive plan offer made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with the offer.
7. ASIC exempts a financial product that is the subject of an eligible incentive plan offer from Part 7.9 of the Act where:
- (a) a recommendation is made by a person (other than the issuer) that a person to whom an eligible incentive plan offer has been made, acquire the financial product as a retail client; and
  - (b) the person who made the recommendation is not aware, and ought not reasonably to be aware, that any of the conditions set out in this instrument have not been met;
- but only in relation to the recommendation by the person.

**Where this instrument applies**

8. This instrument applies where the issuer:
- (a) meets the requirements (including, for the avoidance of doubt, definitions) of the class order, except the definitions of:
    - (i) “eligible offer” in paragraph 9 of the Interpretation; and
    - (ii) “issuer” in paragraph 12 of the Interpretation; and
    - (iii) “offer document” in paragraph 15 of the Interpretation; and
  - (b) would meet the requirements of the class order if:

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- (i) the definition of an “eligible offer” in paragraph 9 of the Interpretation were to read:

“9. “eligible offer” means an offer for issue or sale of:

- (a) fully-paid shares; or
- (b) performance rights in relation to fully paid shares,

in an issuer in the same class as shares which have been quoted on the financial market operated by the ASX Limited ACN 008 624 691 throughout the 12 month period immediately before the offer without suspension for more than a total of 2 trading days during that period made under an employee share scheme extended only to eligible employees of the issuer;” and

- (ii) in the Interpretation, the following definition were inserted:

“9A. “employee share scheme”, for a body corporate, means a scheme under which shares (or units of shares or options to acquire unissued shares or performance rights) in the body or a related body corporate may be acquired:

- (a) by, or for the benefit of:
  - (i) employees of the body, or of the related body corporate; or
  - (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate; or
- (b) by a corporation all of whose members are:
  - (i) employees of the body, or of a related body corporate; or
  - (ii) directors of the body, or of a related body corporate, who hold a salaried employment or office in the body or in a related body corporate;” and

- (iii) in the definition of an “offer document” in paragraph 15 of the Interpretation, subparagraphs (c) and (d) were to read:

“(c) specifics in respect of the shares, performance rights or the shares to which the performance rights relate:

- (i) the acquisition price in Australian dollars;

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- (ii) where the acquisition price is specified in a foreign currency, the Australian dollar equivalent of that price at the date of the eligible offer; or
  - (iii) where the acquisition price is to be worked out in the future under a formula, the Australian dollar or Australian dollar equivalent of that price were the formula applied at the date of the eligible offer; and
- (d) includes an undertaking, and an explanation of the way in which, the issuer who has a registered office in this jurisdiction will, during the period in which an eligible employee may acquire the shares, within a reasonable period of the employee requesting, make available to the employee:
- (i) the current market price (or, where that price is denominated in a foreign currency, the Australian dollar equivalent of that price) of the shares to which the performance rights relate; and
  - (ii) where sub-subparagraph (c)(ii) or (iii) applies, the information referred to in that subparagraph as updated to that date.”; and
- (iv) in the Interpretation, the following definition were inserted:
- “16A. “performance right” means a conditional right:
- (a) to be issued or to be transferred a fully-paid ordinary share in the capital of the issuer; or
  - (b) to receive a cash amount equivalent to the value of a fully-paid ordinary share in the capital of the issuer, less any tax or other payment that the issuer is required by law to withhold or pay; or
  - (c) either to be issued or to be transferred a fully-paid ordinary share in the capital of the issuer or to receive a cash amount equivalent to the value of a fully-paid ordinary share in the capital of the issuer, less any tax or other payment that the issuer is required by law to withhold or pay,
- where the performance right is offered for no more than nominal monetary consideration;”.

**Conditions**

9. The issuer can only rely on the exemptions in this instrument if the issuer complies with the following conditions:

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- (a) the conditions of the class order (excluding the condition specified in paragraph 3 of the Schedule to the class order) as expressed to apply to them; and
- (b) the issuer must take reasonable steps to ensure that the number of shares that may be issued in connection with any eligible incentive plan offer, when aggregated with:
  - (i) the number of shares in the same class which would be issued were every other outstanding offer with respect to shares, units of shares, options to acquire unissued shares and performance rights under every other employee share scheme of the issuer to vest or to be accepted or exercised;
  - (ii) the number of shares in the same class issued during the previous 5 years pursuant to:
    - (A) an eligible incentive plan offer extended only to eligible employees; and
    - (B) any other employee share scheme extended only to eligible employees of the issuer;

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

- (iii) an offer to a person situated at the time of receipt of the offer outside this jurisdiction; or
- (iv) an offer that did not need disclosure to investors because of section 708 of the Act; or
- (v) an offer that did not require the giving of a Product Disclosure Statement because of section 1012D of the Act; or
- (vi) an offer made under a disclosure document or Product Disclosure Statement,

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

**Interpretation**

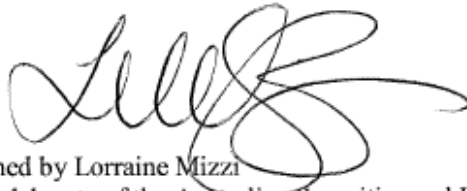
10. In this instrument:

- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;

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- (b) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the Legislative Instruments Act 2003;
- (c) *eligible incentive plan offer* means an offer for the issue or sale of fully-paid shares or performance rights, made under an arrangement known as the NEXTDC Limited 2014 Executive Incentive Rights Plan (under which the performance rights are variously referred to as performance rights retention rights or deferred rights) and the terms of which are substantially in the same form as those provided to ASIC on 25 August 2014; and
- (d) *issuer* means NEXTDC Limited ACN 143 582 521 and any related body corporate.

Dated this 12<sup>th</sup> day of September 2014



Signed by Lorraine Mizzi  
as a delegate of the Australian Securities and Investments Commission

14/0912

## Australian Derivative Trade Repository Licence (DTCC Data Repository (Singapore) Pte Ltd) 2014

### 1. Name of Licence

This Licence is the *Australian Derivative Trade Repository Licence (DTCC Data Repository (Singapore) Pte Ltd) 2014*.

### 2. Commencement

This Licence commences when it is granted.

### 3. Definitions

In this Licence:

*Act* means the *Corporations Act 2001*.

*APRA* means the Australian Prudential Regulation Authority.

*ASIC* means the Australian Securities and Investments Commission.

*ASIC Data* means Derivative Trade Data reported to DDRS under the Reporting Rules and under exemptions from the Reporting Rules.

*Australian Court* has the meaning given by section 9 of the Act.

*Business Day* has the meaning given by section 9 of the Act.

*Derivative* has the meaning given by section 761D of the Act.

*Derivative Trade Data* has the meaning given by section 761A of the Act.

*Derivative Trade Repository* has the meaning given by section 761A of the Act.

*DDRS* means DTCC Data Repository (Singapore) Pte Ltd (ARBN 601 601 021).

*DTRRs* means the *ASIC Derivative Trade Repository Rules 2013*.

*MAS* means the Monetary Authority of Singapore or any successor organisation in Singapore responsible for the supervision of the Derivative Trade Repository operated by DDRS.

*RBA* means the Reserve Bank of Australia.

*Regulations* means the *Corporations Regulations 2001*.

*Reporting Rules* means the *ASIC Derivative Transaction Rules (Reporting) 2013*.

### 4. Grant of Licence

This Licence is granted to DDRS under section 905C of the Act.

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**5. Facility**

DDRS is authorised under this Licence to operate the Derivative Trade Repository that DDRS is authorised to operate as DTCC Data Repository (Singapore) Pte Ltd in Singapore.

**6. Classes of Derivatives**

The classes of Derivatives in respect of which DDRS may provide services for the purposes of Part 7.5A of the Act are:

- (a) commodity derivatives;
- (b) credit derivatives;
- (c) equity derivatives;
- (d) foreign exchange derivatives; and
- (e) interest rate derivatives.

**7. Legal Obligations**

It is a condition of this Licence that DDRS must comply with:

- (a) the provisions of Part 7.5A of the Act as in force from time to time;
- (b) the provisions of Regulations made for the purposes of the provisions of Part 7.5A of the Act as in force from time to time;
- (c) the provisions of the DTRRs, to the extent those provisions apply to DDRS, as in force from time to time; and
- (d) the conditions of any exemption granted to DDRS under section 907D of the Act as at the date of this Licence.

**8. Requirement to notify ASIC of matters**

It is a condition of this Licence that DDRS must notify ASIC in writing:

- (a) as soon as practicable and in any event within 1 Business Day of:
  - (i) applying to the MAS to cancel its trade repository licence in Singapore;
  - (ii) becoming aware that the MAS has revoked its trade repository licence in Singapore, regardless of whether DDRS intends to appeal the decision;
  - (iii) becoming aware that the MAS intends to, or is taking action to, revoke its trade repository licence in Singapore; or
  - (iv) becoming aware that the MAS has exercised its emergency powers in relation to DDRS under section 46Y of the Securities and Futures Act (Singapore);
- (b) as soon as practicable and in any event within 2 Business Days of:



- (i) becoming aware that MAS intends to, is taking action to, or has given written notice to, vary the conditions and restrictions on its trade repository licence in Singapore, or impose further conditions and restrictions on its trade repository licence in Singapore;
  - (ii) receiving a direction from the MAS requiring the removal of an officer of DDRS; or
  - (iii) receiving a direction from the MAS under subsection 46K(2) of the Securities and Futures Act (Singapore) in relation to carrying on a proscribed business, or in relation to shareholding by DDRS in a proscribed corporation;
- (c) as soon as practicable and in any event within 5 Business Days of:
- (i) becoming aware that a material change has been made to the Securities and Futures Act (Singapore) or the Securities and Futures Regulations (Singapore) affecting any provisions mentioned in this Licence or in ASIC Instrument [14/0913]; or
  - (ii) receiving approval from the MAS for the appointment of a person as DDRS's chairman, chief executive officer, director, or to any key management position or committee of DDRS.

Note: DDRS may also have an obligation to notify ASIC of these matters, and other matters, under section 904C of the Act.

## 9. Governing Law

It is a condition of this Licence that:

- (a) DDRS submits to the jurisdiction of Australian Courts in any action brought by ASIC in relation to the Derivative Trade Repository or the operation of the Derivative Trade Repository; and
- (b) DDRS must comply with any order of an Australian Court in relation to any matter relating to the Derivative Trade Repository or the operation of the Derivative Trade Repository.

## 10. Data validation

- (1) It is a condition of this Licence that DDRS must validate ASIC Data against specified data rules that are agreed or requested by ASIC from time to time, by checking that:
- (a) the ASIC Data is current (e.g. with the most recent date/time stamp), in the correct format, of an appropriate type (e.g. numeric, alphabetic), within a particular value range (where a range is applied by DDRS) and, to the extent appropriate, consistent with ASIC Data previously reported in relation to the same Derivative (e.g. for data unaffected by a modification to the Derivative); and
  - (b) all required data fields have been completed with an allowable value.
- (2) If:

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- (a) ASIC makes a request on or before 1 January 2016 that DDRS conducts the above process using modified data rules (including checking ASIC Data against additional data fields), DDRS must comply with the request by 1 October 2016 or by the date specified by ASIC in the request, whichever is later; and
- (b) ASIC makes a request after 1 January 2016 that DDRS conducts the above process using modified data rules (including checking ASIC Data against additional data fields), DDRS must comply with the request within 9 months of the date of the request or by the date specified by ASIC in the request, whichever is later.

**11. Agreement to enter into service level agreements or other arrangements upon request**

- (1) DDRS must, upon request by APRA, ASIC and/or the RBA in accordance with this paragraph 11, enter into a service level agreement or other arrangement with the relevant agency concerning the method, timing and other specifics of access by the relevant agency to ASIC Data, and statistical data created by DDRS from ASIC Data, that is retained in the Derivative Trade Repository and that is required by the relevant agency in connection with the performance its functions and exercise of its powers.
- (2) APRA, ASIC and/or the RBA may request that DDRS enter into a service level agreement or other arrangement by giving written notice to DDRS.
- (3) Upon receipt of a notice referred to in subparagraph (2), DDRS must:
  - (a) negotiate the terms of the service level agreement or other arrangement with the relevant agency in good faith and using best endeavours to meet the reasonable requirements of the relevant agency concerning the method, timing and other specifics of access to ASIC Data, and statistical data created by DDRS from ASIC Data, that is retained in the Derivative Trade Repository, taking into account the service level agreements or other arrangements agreed by related body corporates of DDRS with regulators in comparable jurisdictions; and
  - (b) enter into the service level agreement or other arrangement within the time reasonably required by the relevant agency.
- (4) For the purposes of subparagraph (3)(a), the agency may require that the service level agreement or other arrangement:
  - (a) describe the ASIC Data that DDRS will provide to the agency and the type of electronic files that will be used;
  - (b) specify a secure method or methods acceptable to the agency that DDRS will use to provide ASIC Data to the agency;
  - (c) document requirements for the quality of ASIC Data that DDRS will provide to the agency, including requirements designed to provide ASIC Data to the agency:
    - (i) in a timely manner and in an accessible location and format;
    - (ii) which is accurate (taking into account the accuracy of ASIC Data reported to DDRS and any quality checks performed by DDRS), relevant for the

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performance of the agency's functions, or the exercise of the agency's powers, and able to be readily understood, used and analysed by the relevant agency (including able to be reconciled with other data that is available to the agency); and/or

- (d) establish a service management framework that is based on the requirements documented by the Information Technology Infrastructure Library (or another source as agreed), and at a minimum addresses how DDRS will manage incidents, problems, changes and service levels.
- (5) DDRS must provide such reasonable assistance as the relevant agency requests in preparing the terms of the service level agreement or other arrangement.

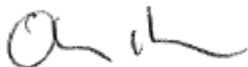
## 12. Compliance framework

- (1) From 1 April 2015, DDRS must have in place a revised compliance framework (including all applicable policies and procedures) that is reasonably designed to enable DDRS to comply with its obligations under this Licence, other than obligations that relate to its information technology resources and information technology governance.
- (2) From 30 June 2015, DDRS must have in place a revised compliance framework (including all applicable policies and procedures) that is reasonably designed to enable DDRS to comply with its obligations under this Licence that relate to its information technology resources and information technology governance.

## 13. Outsourcing documentation

From 30 June 2015, DDRS must have in place revised IT governance arrangements, service level agreements and agreements with third party providers that are reasonably designed to enable DDRS to comply with its obligations under this Licence.

Dated this 15th day of September 2014



Signed by Oliver Harvey

as a delegate of the Australian Securities and Investments Commission

14/0913

**Australian Securities and Investments Commission  
Corporations Act—Paragraph 907D(2)(a)—Exemption**

**Enabling legislation**

1. ASIC makes this instrument under paragraph 907D(2)(a) of the Act.

**Title**

2. This instrument is ASIC Instrument [14/0913].

**Commencement**

3. This instrument commences on 15 September 2014.

**Exemption 1 (Legal Basis)**

4. DDRS does not have to comply with Rule 2.2.1 of the DTRRs for so long as it complies with all of the following conditions:
  - (a) DDRS must comply with paragraphs 46I(1)(e) and (f) and Subdivision 2 of Division 2 of Part IIA of the SFA; and
  - (b) DDRS must comply with regulations 18 and 19 of the SF Regulations.

**Exemption 2 (Access and Participation Requirements)**

5. DDRS does not have to comply with Rule 2.2.2 of the DTRRs for so long as it complies with all of the following conditions:
  - (a) DDRS must comply with paragraphs 46I(1)(d) and (f) of the SFA; and
  - (b) DDRS must comply with regulations 18(a) and (b) of the SF Regulations.

**Exemption 3 (Security, Efficiency and Effectiveness of Services)**

6. DDRS does not have to comply with Rule 2.2.3 of the DTRRs for so long as it complies with all of the following conditions:
  - (a) DDRS must comply with paragraphs 46I(a), (d), (e), (g) and (i) of the SFA;
  - (b) DDRS must comply with regulation 16 of the SF Regulations; and
  - (c) DDRS must ensure that the Trade Repository's services are provided at all times in an effective manner.

**Exemption 4 (Acceptance of Derivative Trade Data)**

7. DDRS does not have to comply with Rule 2.3.1 of the DTRRs in relation to ASIC Data for so long as it complies with all of the following conditions in relation to ASIC Data:
  - (a) DDRS must comply with paragraph 46J(b) of the SFA;
  - (b) DDRS must comply with regulation 16 of the SF Regulations;
  - (c) DDRS must accept from Participants all ASIC Data for all classes of Derivatives specified in the Australian Licence conditions; and

- (d) DDRS must establish, implement, maintain and enforce policies, procedures, systems and controls reasonably designed to maintain a continuous, reliable and secure connection between the Trade Repository and Participants for the purposes of accepting ASIC Data.

**Exemption 5 (Retention of Derivative Trade Data)**

8. DDRS does not have to comply with Rule 2.3.2 of the DTRRs in relation to ASIC Data for so long as it complies with all of the following conditions in relation to ASIC Data:
  - (a) DDRS must comply with paragraph 46J(b) and subsection 46L(1) of the SFA;
  - (b) DDRS must comply with regulation 5(a) of the SF Regulations;
  - (c) DDRS must ensure that all records of ASIC Data and records of each alteration or correction to ASIC Data is retained in a secure location and in an electronic format, and is immediately accessible by DDRS; and
  - (d) DDRS must create at least one backup copy of each record referred to in paragraph (c) and must ensure that, for the period of time that the record must be retained under regulation 5(a) of the SF Regulations, the backup copy is retained in a secure location and in an electronic format, separate from the location of the record, and is accessible by DDRS within 3 Business Days.
9. DDRS must comply with the conditions in paragraph 8 subject to any direction issued by ASIC under section 904K of the Act.

**Exemption 6 (Use and Disclosure of Derivative Trade Data)**

*Disclosures of Derivative Trade Data that is not ASIC Data*

10. DDRS does not have to comply with section 904B(1) of the Act and Part 2.3 of the DTRRs in relation to Derivative Trade Data that is not ASIC Data, for so long as DDRS complies with the all of the following conditions in relation to Derivative Trade Data that is not ASIC Data:
  - (a) DDRS must comply with section 46O of the SFA; and
  - (b) DDRS must comply with regulation 12 of the SF Regulations.

*Disclosures permitted under SFA and SF Regulations*

11. DDRS does not have to comply with subsection 904B(1) of the Act and Rule 2.3.3(1) of the DTRRs in relation to ASIC Data, in circumstances where disclosure is permitted under regulations 12(1) or (5) of the SF Regulations, for so long as DDRS complies with all of the following conditions in relation to ASIC Data in those circumstances:
    - (a) DDRS must comply with section 46O of the SFA; and
    - (b) DDRS must comply with regulation 12 of the SF Regulations.
-

*Disclosures pursuant to User Agreement*

12. DDRS does not have to comply with Rule 2.3.3(3) of the DTRRs in relation to ASIC Data, for so long as it complies with all of the following conditions in relation to ASIC Data:
- (a) DDRS must comply with section 46O of the SFA; and
  - (b) DDRS must comply with regulation 12 of the SF Regulations.

**Exemption 7 (Provision of Access to Derivative Trade Data)***Provision of access to ASIC Data to Participants*

13. DDRS does not have to comply with Rules 2.3.4(1), (2), (3) and (4) of the DTRRs in relation to the provision of access to ASIC Data to Participants for so long as DDRS complies with the condition that DDRS must comply with the provisions of the DDRS Rulebook and DDRS User Agreements in relation to the provision of access to ASIC Data to Participants.

*Provision of access to the Australian Regulators*

14. DDRS does not have to comply with subsection 904B(5) of the Act and Rule 2.3.4(5) of the DTRRs to the extent that subsection and that Rule require DDRS to provide an Australian Regulator with continuous, direct and immediate electronic access to ASIC Data, for so long as DDRS complies with the condition that DDRS must make the ASIC Data available to the relevant Australian Regulator:
- (a) via automated means;
  - (b) on a daily basis;
  - (c) within 48 hours of the ASIC Data being accepted by DDRS; and
  - (d) in compliance with any written direction given by ASIC that the ASIC Data be made available to the Australian Regulator by:
    - (i) making the ASIC Data available on a DDRS server for the relevant Australian Regulator to download; or
    - (ii) sending the ASIC Data to a server specified by the relevant Australian Regulator.

*Provision of access to foreign regulators*

15. DDRS does not have to comply with subsection 904B(5) of the Act to the extent the subsection requires DDRS to comply with a request from a person or body prescribed under Regulations made for the purposes of paragraph 904B(2)(b) of the Act for access to Derivative Trade Data, in circumstances in which DDRS would be prohibited from doing so under section 46O of the SFA.

*Disclosure to Related Body Corporates and MAS*

16. DDRS does not have to comply with Rule 2.3.4(11) of the DTRRs in circumstances where DDRS reasonably considers that it is necessary to disclose information specified under that Rule to a Related Body Corporate of DDRS in order to comply

with a request by an Australian Regulator or Prescribed Foreign Regulator for particular Derivative Trade Data, for so long as DDRS takes reasonable steps to ensure the Related Body Corporate does not disclose such information other than for the purposes of seeking legal advice or as required by law.

17. DDRS does not have to comply with Rule 2.3.4(11) of the DTRRs in circumstances where DDRS discloses information specified under that Rule to the MAS.

**Exemption 8 (Create & Disclose Statistical Data)**

18. DDRS does not have to comply with Rules 2.3.5 and 2.3.6 of the DTRRs for so long as DDRS complies with all of the following conditions:

- (a) DDRS must, for each 7-calendar day period commencing from 6 October 2014, create, for each class of Derivative specified in the conditions of the Australian Licence, statistical data from ASIC Data in accordance with paragraph (b);
- (b) the statistical data created for paragraph (a) must include:
- (i) the total number of open transactions and total gross notional outstanding, as at the end of the 7-calendar day period;
  - (ii) a breakdown by the currency (e.g. AUD, USD) of the notional amount for the Derivatives in the class;
  - (iii) a breakdown of whether, in each of the classes, the Derivatives to which the statistical data relates are cleared or uncleared;
  - (iv) from 6 July 2015, the total number of new transactions reported in each of the classes during the 7-calendar day period;
  - (v) for the period from 1 October 2014 to 30 June 2015, cumulative total numbers of transactions per asset class since 1 October 2014, as at the end of the 7-calendar day period; and
  - (vi) commencing from 1 July 2015, cumulative total numbers of transactions per asset class for the current financial year, as at the end of the 7-calendar day period;
- (c) DDRS must:
- (i) make available at no charge and through a publicly accessible website within 3-5 days from the end of each 7-day calendar period, the statistical data referred to in paragraph (b) for each 7- calendar day period; and
  - (ii) ensure that the statistical data for each 7-calendar day period remains available for at least 14 calendar days from the date it is first made available; and
- (d) DDRS must not include data that is capable of identifying a counterparty to a Derivative Transaction in the statistical data referred to in paragraph (b).

**Exemption 9 (Governance)**

19. DDRS does not have to comply with Rule 2.4.1 of the DTRRs for so long as DDRS complies with all of the following conditions:

- (a) DDRS must comply with paragraphs 46I(1)(b), (c) and (i) and 46J(a) of the SFA;

- (b) DDRS must reserve a position for, and make reasonable endeavours to appoint, a member of its Board who is:
  - (i) a representative of a Participant that is an Australian ADI that has its principal place of business in Australia; and
  - (ii) an Australian citizen; and
- (c) DDRS must:
  - (i) from 1 January 2015, adopt a crisis management plan which provides for clearly defined processes in crises and emergencies for decision making and for communicating with Participants and Australian Regulators; and
  - (ii) provide ASIC with access to the crisis management plan DDRS proposes to adopt under subparagraph (i), at least 1 week before adopting the crisis management plan.

#### **Exemption 10 (Handling Conflicts of Interest)**

20. DDRS does not have to comply with Rule 2.4.2 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with subsection 46E(5) of the SFA in relation to any conditions or restrictions imposed on its Singapore Licence relating to conflicts of interest; and
  - (b) DDRS must maintain and enforce its policies and procedures in respect of conflicts of interest in substantially the form of the *DTCC Data Repository (Singapore) Pte. Ltd. Compliance Manual* and the *DTCC Data Repository (Singapore) Pte. Ltd. Conflict of Interest Resolution Policy* as at the date of this instrument.

#### **Exemption 11 (Monitoring and enforcement of compliance with obligations)**

21. DDRS does not have to comply with Rule 2.4.3 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must establish, implement, maintain and enforce policies, procedures, systems and controls for monitoring and enforcing compliance by its Officers and employees with:
    - (i) the conditions of the Australian Licence on and from the time the obligations in those conditions commence;
    - (ii) the conditions of exemptions granted to DDRS by ASIC under paragraph 907D(2)(a) of the Act;
    - (iii) Part 2.3 of the DTRRS, to the extent DDRS is not exempt from that Part under paragraph 907D(2)(a) of the Act, and Rule 2.7.3 of the DTRRs; and
    - (iv) Division 2 of Part 5B.2 and Division 6 of Part 7.5A of the Act; and
  - (b) DDRS must ensure that the policies, procedures, systems and controls required by the condition in paragraph (a) are reviewed, audited and tested periodically and after significant changes, to ensure compliance with the condition in paragraph (a).



**Exemption 12 (Risk Management)**

22. DDRS does not have to comply with Rule 2.4.4 of the DTRRs for so long as DDRS complies with the condition that DDRS must comply with paragraph 46I(1)(b) and section 46J of the SFA.

**Exemption 13 (Resources)**

23. DDRS does not have to comply with Rule 2.4.5 of the DTRRs for so long as DDRS complies with the condition that DDRS must comply with paragraph 46I(1)(g) and section 46J of the SFA.

**Exemption 14 (Human Resources)**

24. DDRS does not have to comply with Rule 2.4.6 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with paragraph 46I(1)(g) and (j) and sections 46V and 46Z of the SFA; and
  - (b) DDRS must comply with regulation 21 of the SF Regulations.

**Exemption 15 (Financial Resources)**

25. DDRS does not have to comply with Rule 2.4.7 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with paragraph 46I(1)(g) of the SFA;
  - (b) DDRS must comply with regulation 7 of the SF Regulations; and
  - (c) DDRS must comply with subsection 46E(5) of the SFA in relation to any conditions or restrictions imposed on its Singapore Licence relating to financial resources.

**Exemption 16 (Integrity and Security of Computer Systems and Other Systems)**

26. DDRS does not have to comply with Rule 2.4.8 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with subparagraph 46I(1)(g) and section 46O of the SFA; and
  - (b) DDRS must comply with regulation 16 of the SF Regulations.

**Exemption 17 (Operational Reliability)**

27. DDRS does not have to comply with Rule 2.4.9 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with paragraphs 46I(1)(a), (b), (e), (g) and (i) of the SFA;
  - (b) DDRS must comply with regulation 16(1) of the SF Regulations; and
  - (c) DDRS must provide ASIC with a copy of any notification or report provided to MAS under regulation 9(1)(d) of the SF Regulations, and under regulation 9(2) of the SF Regulations as it relates to a circumstance under regulation 9(1)(d), as soon as practicable after providing the notification or report to MAS.

**Exemption 18 (Business Continuity Planning)**

28. DDRS does not have to comply with Rule 2.4.10 of the DTRRs for so long as DDRS complies with all of the following conditions:

- (a) DDRS must comply with subparagraph 46I(1)(g) of the SFA; and
- (b) DDRS must comply with regulations 13(1) and (2) of the SF Regulations.

**Exemption 19 (Recovery and Resolution)**

29. DDRS does not have to comply with Rule 2.4.11 of the DTRRs for so long as DDRS complies with all of the following conditions:

- (a) from 1 October 2015, DDRS must comply with regulation 14 of the SF Regulations;
- (b) DDRS must, on request by an Australian Regulator, provide the Australian Regulator with information reasonably required by the Australian Regulator for the purposes of resolution planning in respect of DDRS or its Users in relation to ASIC Data; and
- (c) DDRS must establish, implement, maintain and enforce policies, procedures and plans to comply with:
  - (i) the conditions in paragraphs (a) and (b), on and from the time the obligations in those conditions commence; and
  - (ii) any obligations that may arise under section 904K of the Act in the event that DDRS ceases to be licensed under section 905C of the Act.

**Exemption 20 (Operational Separation of Functions)**

30. DDRS does not have to comply with Rule 2.4.12 of the DTRRs for so long as DDRS complies with all of the following conditions:

- (a) DDRS must comply with paragraph 46K(1)(b) of the SFA;
- (b) where DDRS provides Non-Trade Reporting Services, DDRS must disclose to ASIC a written description of all of the Non-Trade Reporting Services, and update the disclosure in writing as soon as practicable after any changes are made to the Non-Trade Reporting Services; and
- (c) where DDRS or any of its Related Body Corporates provide Non-Trade Reporting Services, DDRS must establish, implement, maintain and enforce policies, procedures, systems and controls designed to ensure operational separation between the Non-Trade Reporting Services and the Trade Reporting Services.

**Exemption 21 (Outsourcing of Functions)**

31. DDRS does not have to comply with Rule 2.4.13 of the DTRRs for so long as DDRS complies with the condition that DDRS must comply with the *Guidelines on Outsourcing* issued by the MAS.

**Exemption 22 (Disclosure of Rules, Procedures and Other Information)**

32. DDRS does not have to comply with Rule 2.5.1 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with regulations 15 and 17 of the SF Regulations; and
  - (b) DDRS must disclose to its Participants the DDRS User Agreement, DDRS Rulebook and DDRS Operating Procedures for accepting, retaining, using, disclosing and providing access to ASIC Data; and
  - (c) DDRS must notify ASIC and its Participants of any material changes proposed to the documents referred to in the condition in paragraph (b) at least 10 Business Days before the changes are made.

**Exemption 23 (Public Disclosures)**

33. DDRS does not have to comply with Rule 2.5.2 of the DTRRs for so long as DDRS complies with regulation 15 of the SF Regulations.

**Exemption 24 (Annual Compliance Report)**

34. DDRS does not have to comply with Rule 2.6.1 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with section 46M of the SFA;
  - (b) DDRS must comply with regulation 11 of the SF Regulations;
  - (c) DDRS must provide ASIC with a copy of the report prepared in compliance with regulation 11(1)(c) of the SF Regulations within 10 Business Days of providing the report to MAS; and
  - (d) from 1 January 2016, DDRS must, at the same time as providing the report under regulation 11(1)(c) of the SF Regulations, also provide ASIC with a report covering compliance with:
    - (i) the conditions of the Australian Licence, on and from the time those obligations commence;
    - (ii) the conditions of any exemptions granted to DDRS under paragraph 907D(2)(a) of the Act;
    - (iii) Part 2.3 of the DTRRs to the extent DDRS is not exempt from that Part under paragraph 907D(2)(a) of the Act, and Rule 2.7.3 of the DTRRs; and
    - (iv) Division 2 of Part 5B.2 and Division 6 of Part 7.5A of the Act.
35. For the purposes of paragraph 34(d):
- (a) the first report submitted to ASIC under paragraph 34(d) must cover the period from 1 October 2014 to the end of the period covered by the report under regulation 11(1)(c) of the SF Regulations; and
  - (b) subsequent reports submitted to ASIC under paragraph 34(d) must cover the same period as the report under regulation 11(1)(c) of the SF Regulations

**Exemption 25 (Disclosure of Proceedings)**

36. DDRS does not have to comply with Rule 2.6.2 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with regulations 9(1)(a) and (b) of the SF Regulations, and regulation 9(2) of the SF Regulations as it relates to a circumstance under regulation 9(1)(a) or (b);
  - (b) to the extent it is not prohibited from doing so under applicable law, DDRS must give ASIC a copy of any notification or report under the condition in paragraph (a), as soon as practicable after providing the notification or report to MAS; and
  - (c) to the extent it is not prohibited from doing so under applicable law, DDRS must notify ASIC as soon as practicable after DDRS becomes aware that:
    - (i) disciplinary action has been taken against DDRS by MAS; or
    - (ii) a legal proceeding has been instituted, or disciplinary action has been taken, against an Officer of DDRS.

**Exemption 26 (Notification of Acquisition of Significant Holding)**

37. DDRS does not have to comply with Rule 2.6.3 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must ensure compliance with section 46U of the SFA and regulation 20 of the SF Regulations in relation to an acquisition of a significant holding in DDRS; and
  - (b) DDRS must provide ASIC with a copy of:
    - (i) an approval granted under paragraph 46U(2)(a) or (b) of the SFA, as soon as practicable after the approval is granted; and
    - (ii) a direction issued under subsection 46U(6) of the SFA, as soon as practicable after the direction is issued.

**Exemption 27 (Delays, Disruptions, Suspension, Termination, Breaches of Data Security, Integrity, Confidentiality)**

38. DDRS does not have to comply with Rule 2.6.4 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with regulation 9(1)(d) of the SF Regulations, and regulation 9(2) of the SF Regulations as it relates to a circumstance under regulation 9(1)(d); and
  - (b) DDRS must provide ASIC with a copy of any notification or report under the condition in paragraph (b), as soon as practicable after providing the notification or report to MAS.

**Exemption 28 (Keeping of Records)**

39. DDRS does not have to comply with Rule 2.7.1 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with section 46L of the SFA; and

- (b) DDRS must comply with regulations 5 and 11 of the SF Regulations.

**Exemption 29 (Provision of Records or Other Information)**

40. DDRS does not have to comply with Rule 2.7.2 of the DTRRs for so long as DDRS complies with all of the following conditions:
- (a) DDRS must comply with regulation 11 of the SF Regulations; and
  - (b) DDRS must provide, on request by ASIC, records or other information relating to compliance with, or determining whether there has been compliance with:
    - (i) the conditions of the Australian Licence, on and from the time the obligations in those conditions commence;
    - (ii) the conditions of exemptions granted to DDRS by ASIC under paragraph 907D(2)(a) of the Act;
    - (iii) Part 2.3 of the DTRRs, to the extent DDRS is not exempt from that Part under paragraph 907D(2)(a) of the Act, and Rule 2.7.3 of the DTRRs; and
    - (iv) Division 2 of Part 5B.2 and Division 6 of Part 7.5A of the Act.

**Requirement to notify ASIC**

41. It is a condition of the exemptions under this instrument that DDRS must notify ASIC as soon as it becomes aware that:
- (a) changes have been made to any provision of the SFA, SF Regulations or Singapore Licence referred to in a condition of an exemption under this instrument;
  - (b) changes have been made to the *DTCC Data Repository (Singapore) Pte. Ltd. Compliance Manual* or the *DTCC Data Repository (Singapore) Pte. Ltd. Conflicts Resolution Policy* referred to in the condition in paragraph 20, or any of these documents have been replaced or supplemented by another document;
  - (c) changes have been made to the *Guidelines on Outsourcing* issued by the MAS referred to in the condition in paragraph 31, or this document has been replaced or supplemented by another document.

**Interpretation**

42. In this instrument, unless otherwise defined, capitalised terms have the meaning given by the DTRRs.
43. In this instrument:

**ASIC Data** means Derivative Trade Data reported to DDRS under the Reporting Rules and under exemptions from the Reporting Rules.

**Australian Licence** means the derivative trade repository licence granted to DDRS by ASIC under section 905C of the Act.

**Business Day** has the meaning given by section 9 of the Act.

**DDRS** means DTCC Data Repository (Singapore) Pte Ltd (ARBN 601 601 021).

**DDRS Operating Procedures** means the Operating Procedures of DDRS set out in Appendix B to the DDRS Rulebook.

**DDRS Rulebook** means the business rules of DDRS maintained in accordance with paragraphs 46I(1)(e) and (f), and Subdivision 2 of Division 2 of Part IIA, of the SFA and regulations 18 and 19 of the SF Regulations and known as the DTTC DTCC Data Repository (Singapore) Pte Ltd Rulebook.

**DDRS User Agreement** means the agreement between DDRS and each Participant in the form set out in Appendix A to the DDRS Rulebook.

**DTRRs** means the *ASIC Derivative Trade Repository Rules 2013* as in force from time to time.

**MAS** means the Monetary Authority of Singapore or any successor organisation in Singapore responsible for the supervision of the derivative trade repository operated by DDRS.

**Regulations** means the *Corporations Regulations 2001* as in force from time to time.

**Related Body Corporate** means a related body corporate within the meaning of section 9 of the Act.

**Reporting Rules** means the *ASIC Derivative Transaction Rules (Reporting) 2013* as in force from time to time.


**SFA** means the *Securities and Futures Act (Singapore)* as in force at the date of this instrument.

**SF Regulations** means the *Securities and Futures (Trade Repositories) Regulations 2013 (Singapore)* as in force at the date of this instrument.

**Singapore Licence** means the trade repository licence granted by MAS to DDRS under section 46E of the SFA.

**Trade Repository** means the derivative trade repository that DDRS is authorised to operate under the Australian Licence and the Singapore Licence.

Dated this 15th day of September 2014



Signed by Oliver Harvey

as a delegate of the Australian Securities and Investments Commission

14-0915

**Corporations (FX Alliance International, LLC) Exemption  
Revocation Notice 2014***Corporations Act 2001*

I, MATHIAS CORMANN, Acting Assistant Treasurer, make this exemption revocation under section 791C(2) of the *Corporations Act 2001*.

Dated 9 SEPTEMBER 2014

Acting Assistant Treasurer

**Name of Notice**

1. This Notice is the *Corporations (FX Alliance International, LLC) Exemption Revocation Notice 2014*.

**Commencement**

2. This Notice commences on the day it is published in the *Gazette*.

**Revocation of Exemption**

3. *Corporations (FX Alliance International, LLC) Exemption Notice 2006* is revoked.

14-0919

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

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 741(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 14-0919.

**Commencement**

3. This instrument commences on 10 September 2014.

**Declaration**

4. Chapter 6D of the Act applies to an offer for sale of ordinary shares in Bulletproof Group Limited ACN 148 162 092 (the *issuer*) as if paragraph 708A(5)(b) of the Act were modified by deleting the words “5 days” and substituting the words “24 trading days”.

**Where this instrument applies**

5. This instrument applies to an offer for sale of shares in the issuer where:
  - (a) the shares were issued on or around 12 September 2014 under an offer which did not require disclosure under Part 6D.2 of the Act because of subsection 708(8), subsection 708(10), or subsection 708(11) of the Act; and
  - (b) the issuer has given ASX Limited ACN 008 624 691 a notice under paragraph 708A(5)(e) of the Act which complies with subsection 708A(6) of the Act.

Dated this 10<sup>th</sup> day of September 2014



Signed by Yu-chin Hsu  
as a delegate of the Australian Securities and Investments Commission



14-0920

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 741(1) – Exemption**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under subsection 741(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 14-0920.

**Commencement**

3. This instrument commences on 10 September 2014.

**Exemption**

4. Bulletproof Group Limited ACN 148 162 092 (the *issuer*) does not have to comply with Part 6D.2 or 6D.3 of the Act (other than sections 736 and 738) for an offer of shares for issue, to be made on or about 17 September 2014, under a purchase plan.

**Where this instrument applies**

5. This instrument applies where the issuer:
  - (a) meets the requirements and conditions of ASIC Class Order [CO 09/425] (the *class order*) except for sub-subparagraph 7(a)(ii); and
  - (b) would meet the requirement in sub-subparagraph 7(a)(ii) of the class order if that sub-subparagraph were to read:
    - “(ii) is not suspended from trading and was not suspended from trading on that market for more than a total of 24 trading days during the shorter of the period during which the class was quoted, and the period of 12 months before the day on which the offer is made;”.

**Interpretation**

6. In this instrument:  
*purchase plan* has the same meaning as in ASIC Class Order [CO 09/425].

Dated this 10<sup>th</sup> day of September 2014



Signed by Yu-chin Hsu  
as a delegate of the Australian Securities and Investments Commission

14-0928

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 741(1)(b) – Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 741(1)(b) of the *Corporations Act 2001 (Act)*.

**Title**

2. This instrument is ASIC Instrument 14-0928.

**Commencement**

3. This instrument commences on 15 September 2014.

**Declaration**

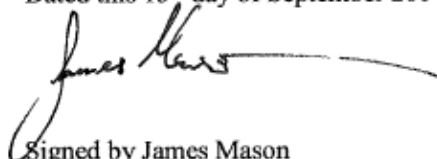
4. Chapter 6D of the Act applies to Arrium Limited ACN 004 410 833 (*Arrium*) as if subsection 9A(4) (as notionally modified by ASIC Class Order [CO 08/35]) of the Act were modified or varied as follows:
  - (a) in paragraph 9A(4)(a) insert “(*first round exempt investors*)” after “some or all persons who are offered securities as an exempt investor”;
  - (b) in paragraph 9A(4)(e), omit “.”, substitute “; and”; and
  - (c) after paragraph 9A(4)(e), insert:

“(f) every person who is offered securities as a person who is not a first round exempt investor, but no other person who is offered securities, is entitled to trade rights to be issued with the person’s securities during a period of time ending prior to the time by which the person may accept the offer.”

**Where this instrument applies**

5. This declaration applies to an offer by Arrium of fully paid ordinary shares in Arrium for issue to be made on or around 15 September 2014.

Dated this 15<sup>th</sup> day of September 2014



Signed by James Mason  
as a delegate of the Australian Securities and Investments Commission

14-0929

Notice is given under section 920E of the Corporations Act 2001 that the Australian Securities and Investments Commission has made a banning order in the terms set out below, which order took effect on 10 September 2014

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

**IN THE MATTER of RIYANKA PUTERI SHIRAZ  
AND THE CORPORATIONS ACT 2001**

**To: RIYANKA PUTERI SHIRAZ**

**BANNING ORDER PURSUANT TO SECTIONS 920A and 920B OF THE  
CORPORATIONS ACT 2001**

**TAKE NOTICE** that the Australian Securities and Investments Commission **PROHIBITS RIYANKA PUTERI SHIRAZ PERMANENTLY** from providing any financial services pursuant to sections 920A and 920B of the Corporations Act 2001 from the date of service of this Banning Order.

Dated this 2<sup>nd</sup> day of September 2014.

Signed: 

**GAI DI BARTOLOMEO**

Delegate of the

Australian Securities and Investments Commission.

14-0934

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 741(1)(a), 911A(2)(l), 992B(1)(a), 1020F(1)(a) and  
1020F(1)(b) – Exemptions**

**Enabling legislation**

1. The Australian Securities and Investments Commission (**ASIC**) makes this instrument under paragraphs 741(1)(a), 911A(2)(l), 992B(1)(a), 1020F(1)(a) and 1020F(1)(b) of the *Corporations Act 2001* (**Act**).

**Title**

2. This instrument is ASIC Instrument 14-0934.

**Commencement**

3. This instrument commences on gazettal.

**Exemptions**

4. The issuer does not have to comply with Parts 6D.2, 6D.3 (except section 736) and Part 7.9 of the Act where the issuer:
  - (a) makes an eligible incentive plan offer;
  - (b) offers to arrange for the issue of financial products under an eligible incentive plan offer; or
  - (c) issues a financial product under an eligible incentive plan offer;that does not involve a contribution plan, on the conditions set out in this instrument and for so long as the conditions are met.
5. Where the issuer is exempt from Part 6D.2 or Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer is also exempt from the requirement to hold an Australian financial services licence for the provision of the following financial services:
  - (a) a financial service consisting of general advice reasonably given in connection with the eligible incentive plan offer (including any general advice given in the offer document) where the issuer ensures that the offer document for the offer includes a statement to the effect that any advice given by the issuer in connection with the offer is general advice only, and that employees should consider obtaining their own financial product advice from an independent person who is licensed by ASIC to give such advice;
  - (b) a custodial or depositary service in connection with the eligible incentive plan offer where the issuer performs their duties in good faith and has sufficient resources to perform those duties;

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- (c) dealing in a financial product in the course of providing a custodial or depository service covered by paragraph (b);
  - (d) issuing a financial product under an eligible incentive plan offer covered by paragraph 4 of this instrument; and
  - (e) dealing in a financial product in connection with the eligible incentive plan offer where any acquisition by purchase or disposal of the product by the issuer occurs either:
    - (i) through a person who holds an Australian financial services licence authorising the holder to deal in financial products; or
    - (ii) outside this jurisdiction and through a person who is licensed or otherwise authorised to deal in financial products in the relevant place.
6. Where the issuer is exempt from Part 6D.2 or Part 7.9 in relation to an eligible incentive plan offer because of the exemption in paragraph 4, the issuer also does not have to comply with sections 736 and 992A of the Act in relation to the eligible incentive plan offer made in the course of, or because of, unsolicited meetings or telephone calls reasonably held or made in connection with the offer.
7. ASIC exempts a financial product that is the subject of an eligible incentive plan offer from Part 7.9 of the Act where:
- (a) a recommendation is made by a person (other than the issuer) that a person to whom an eligible incentive plan offer has been made, acquire the financial product as a retail client; and
  - (b) the person who made the recommendation is not aware, and ought not reasonably to be aware, that any of the conditions set out in this instrument have not been met;
- but only in relation to the recommendation by the person.

**Where this instrument applies**

8. This instrument applies where the issuer:
- (a) meets the requirements (including, for the avoidance of doubt, definitions) of the class order, except the definitions of:
    - (i) “eligible offer” in paragraph 9 of the Interpretation; and
    - (ii) “issuer” in paragraph 12 of the Interpretation; and
  - (b) would meet the requirements of the class order if:
    - (i) the definition of an “eligible offer” in paragraph 9 of the Interpretation were to read:

14-0934

“9. “eligible offer” means an offer for issue or sale of options for the issue or transfer of fully-paid shares in the issuer in the same class as shares which have been quoted on the financial market operated by ASX Limited ACN 008 624 691 (*ASX*) throughout the 10 month period immediately before the offer without suspension for more than a total of 2 trading days during that period, where each of the options is:

- (a) offered for no more than nominal consideration; and
- (b) made under an employee incentive scheme extended only to eligible employees of the issuer;”

#### Conditions

9. The issuer can only rely on the exemptions in this instrument if the issuer complies with the conditions of the class order as expressed to apply to an issuer or the person making the offer.

#### Interpretation

10. In this instrument:
- (a) a word and phrase used in this instrument has the same meaning as it has in the class order unless the word or phrase is defined in paragraph 8 of this instrument in which case the word or phrase has that meaning;
  - (b) *class order* means ASIC Class Order [CO 03/184] as in force on the date of this instrument and as amended from time to time by a disallowable legislative instrument within the meaning of the Legislative Instruments Act 2003;
  - (c) *eligible incentive plan offer* means an offer for the issue or sale of options made under an arrangement known as the Dick Smith Holdings Limited Employee and Executive Incentive Plan Rules, the terms of which are substantially in the same form as those provided to ASIC on 19 August 2014; and
  - (d) *issuer* means Dick Smith Holdings Limited ACN 166 237 841 and any related body corporate.

Dated this 12<sup>th</sup> day of September 2014



Signed by Melissa Liu  
as a delegate of the Australian Securities and Investments Commission

14-0935

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraphs 655A(1)(b) and 673(1)(b) – Declaration**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraphs 655A(1)(b) and 673(1)(b) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Instrument 14-0935.

**Commencement**

3. This instrument commences on 15 September 2014.

**Declarations**

4. Chapters 6 and 6C of the Act apply to Regis Healthcare Limited ACN 125 203 054 (*Regis*) as if section 609 were modified or varied by, after subsection (13) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

“(13A) A body corporate does not have a relevant interest in its own securities merely because, under an escrow arrangement entered into by the body corporate, the body corporate applies restrictions on the disposal of the securities by the holder.”
5. Chapters 6 and 6C of the Act apply to Regis as if section 9 were modified or varied by, after subparagraph (a)(ii)(C) in the definition of *substantial holding* (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

“or  
(D) subsection 609(13A) (securities subject to escrow arrangement);”
6. Chapter 6C of the Act applies to Regis as if section 671B were modified or varied by, omitting “.” in paragraph (7)(c) (as notionally inserted by ASIC Class Order [CO 13/520]), inserting:

“;or  
(d) subsection 609(13A) (securities subject to escrow arrangement).”

**Where this instrument applies**

7. This instrument applies in relation to relevant interests Regis has in securities of Regis (*Escrowed Securities*) merely because Regis has entered into one or more

14-0935

escrow agreements or deeds (each an *Escrow Arrangement*) with each *Security Holder* in connection with the proposed admission of Regis' securities to the official list of the Australian Securities Exchange (*ASX*) where each Escrow Arrangement:

- (a) does not restrict the exercise of voting rights attaching to, the Escrowed Securities;
- (b) in the case of a takeover bid (including a proportional takeover bid):
  - (i) allows each Security Holder to accept into the takeover bid where holders of at least half of the bid class securities that are not subject to an Escrow Arrangement have accepted into the bid; and
  - (ii) requires that the Escrowed Securities be returned to escrow if the bid does not become unconditional;
- (c) allows the Escrowed Securities to be transferred or cancelled as part of a merger by way of compromise or arrangement under Part 5.1 of the Act;
- (d) terminates on the date that Regis' full year accounts for the period ending 30 June 2015 are released to ASX; and
- (e) is substantially in the same form as the draft agreement provided to ASIC on 12 August 2014.

### Interpretation

8. In this instrument *Security Holder* means any of the following persons who hold shares in the Company:
  - i. Ashburn Pty Ltd ACN 005 883 438 as trustee of the Dorman Family Trust;
  - ii. Galabay Pty Ltd ACN 010 849 153 as trustee of the GRAIL Trust;
  - iii. Ross James Johnston;
  - iv. Ross James Johnston and Denise Ann Johnston as trustees of the Ross Johnston Superannuation Fund.

Dated this 15th day of September 2014



Signed by Davis Zhang  
as a delegate of the Australian Securities and Investments Commission



14-0941

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

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 1020F(1)(a) of the *Corporations Act 2001* (*the Act*).

**Title**

2. This instrument is ASIC Instrument 14-0941.

**Commencement**

3. This instrument commences upon execution.

**Exemption**

4. Australian Christian Superannuation Pty Ltd ACN 066 027 334 (*Trustee*) as trustee of Australian Christian Superannuation RSE R1056624 (*the Fund*) does not have to comply with regulations made for the purposes of:

- (a) Division 2 or Part 7.9 of the Act (Product Disclosure Statements); or
- (b) Section 1017D of the Act (periodic statements);

to the extent those regulations were amended or made by items 7 to 68 and 70 to 86 of Schedule 1 to the *Superannuation Legislation Amendment (MySuper Measures) Regulation 2013*.

5. This exemption only applies in relation to:
    - (a) Product Disclosure Statements given before 1 October 2014, where a Product Disclosure Statement is required to be given by the Trustee under section 1012B of the Act for the issue of superannuation interests in the Fund; and
    - (b) periodic statements given under section 1017D of the Act in relation to reporting periods ending before 1 November 2014 where a periodic statement is required to be given by the Trustee to a person who ceases to hold a superannuation product.
-

14-0941

Dated this 16th day of September 2014

A handwritten signature in black ink, appearing to read 'T Brabet', written in a cursive style.

Signed by Therese Brabet  
as a delegate of the Australian Securities and Investments Commission

CORPORATIONS ACT 2001

Section 601CL(5)

ASIC has struck the foreign companies listed below off the register.

Dated this nineteenth day of September 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

EGTON MEDICAL INFORMATION SYSTEMS LIMITED

103 863 761

NEXT INTELLIGENCE CORPORATION

142 215 530

PRESIDENTS CUP EVENT MANAGEMENT, LLC

144 617 738

RACKSPACE ASIA LIMITED

144 020 557

TOKYO MARINE ASIA PTE LTD

155 996 660

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CORPORATIONS ACT 2001

Subsection 601CC(4)

ASIC has struck the registered Australian bodies listed below off the register.

Dated this nineteenth day of September 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

ENVIRONMENTAL MANAGEMENT SYSTEMS ASSOCIATION  
INCORPORATED

**ARBN**

121 194 929

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CORPORATIONS ACT 2001

Section 601CL(4)

ASIC will strike the foreign companies listed below off the register three months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this nineteenth day of September 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

**Name of Company**

**ARBN**

CERESE PROPERTY INVESTMENTS LIMITED

079 773 970

GAYNOR MINDEN, INC

111 965 596

HSBC ALTERNATIVE INVESTMENTS LIMITED

125 809 903

JX NIPPON OIL & GAS EXPLORATION CORPORATION

136 993 729

TOWERS WATSON PENNSYLVANIA INC.

002 551 019

CORPORATIONS ACT 2001

Subsection 601PB(2)

ASIC may deregister the managed investment schemes listed below two months after the publication of this notice, unless given acceptable reason not to proceed.

Dated this nineteenth day of September 2014

Rosanne Bell

DELEGATE OF

THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

<b>Name of Company</b>	<b>ARSN</b>
APGF DIVERSIFIED PROPERTY FUND	107 197 231
APGF PROPERTY SYNDICATE NO.5	104 789 997
APGF PROPERTY SYNDICATE NO. 7	108 582 636
APN EUROPEAN RETAIL PROPERTY MANAGEMENT TRUST	125 377 424
AUSTGROWTH PROPERTY SYNDICATE NO.22 (FRENCHS FOREST)	109 579 366
CMLA GLOBAL PROPERTY SECURITIES FUND	134 828 747
COLONIAL FIRST STATE BRICKS & MORTAR FUND	092 184 168
COLONIAL FIRST STATE GLOBAL ASSET MANAGEMENT EQUITY TRUST 6	131 008 672
COLONIAL FIRST STATE GLOBAL ASSET MANAGEMENT EQUITY TRUST 11	162 717 786
COLONIAL FIRST STATE WHOLESALE AUSTRALIAN INFLATION - LINKED BOND FUND	109 437 041
RENTAL MANAGEMENT AUSTRALIA TRUST	135 811 988
TEMPLEGATE FORESTRY TRUST JEREMY 2	093 014 192
VIENTO KANGAROO ISLAND PLANTATIONS 2002	095 697 591
2005 CALYPSO MANGO PROJECT	113 969 216
2006 CALYPSO MANGO PROJECT	119 526 377
360 CAPITAL DEVELOPMENTS INCOME FUND	103 700 956

Corporations Act 2001  
Subsection 164(3)

Notice is hereby given that 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 Administrative Appeals Tribunal prevents it from doing so.

**ANQUAN SECURITIES & INVESTMENTS LTD** ACN 110 803 659 will change to a proprietary company limited by shares. The new name will be ANQUAN SECURITIES & INVESTMENTS PTY LTD ACN 110 803 659.

**COUNTRY ROAD LIMITED** ACN 006 759 182 will change to a proprietary company limited by shares. The new name will be COUNTRY ROAD GROUP PTY LTD ACN 006 759 182.

**OUR LAWYERS LIMITED** ACN 098 439 457 will change to a proprietary company limited by shares. The new name will be OUR LAWYERS PTY LIMITED ACN 098 439 457.

**CLIENT SYSTEMS PTY LTD** ACN 165 177 659 will change to a public company limited by shares. The new name will be CLIENT SYSTEMS LTD ACN 165 177 659.

**ENERGY INFRASTRUCTURE AND RESOURCES LIMITED** ACN 115 268 007 will change to a proprietary company limited by shares. The new name will be ENERGY INFRASTRUCTURE AND RESOURCES PTY LTD ACN 115 268 007.

**SHRIRO PTY LIMITED** ACN 092 688 018 will change to a public company limited by shares. The new name will be SHRIRO LIMITED ACN 092 688 018.