

**Australian Securities and Investments Commission
National Consumer Credit Protection Act 2009 – Paragraph 109(1)(c) –
Declaration**

Enabling power

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument under paragraph 109(1)(c) of the *National Consumer Credit Protection Act 2009* (the *Act*).

Title

2. This instrument is ASIC Instrument 10-0540.

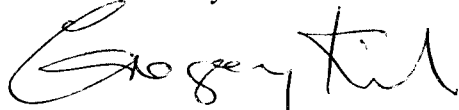
Declaration

3. ASIC declares that Chapter 2 of the Act applies in relation to Bendigo and Adelaide Bank ACN 068 049 178 (*Bendigo*) as if subsection 64(5) of the Act (including as that subsection applies because of subitems 32A(1) and 33(1) of Schedule 2 of the *National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009*) were modified by omitting paragraph (c).

Where this declaration applies

4. This declaration applies until the end of 30 June 2011.
5. This declaration applies where each of the following are met:
 - (a) Bendigo gives a written notice to a person that authorises the person to engage in specified credit activities on behalf of Bendigo under subsection 64(1) of the Act; and
 - (b) the person is:
 - i) a company (*franchisee*) that has entered a franchise agreement with Bendigo for the franchisee to manage a branch of Bendigo; or
 - ii) a natural person who is an employee of a franchisee; and
 - (c) the person is not a credit licensee or a credit representative of a credit licensee other than Bendigo; and
 - (d) the person is not a member of an approved external dispute resolution scheme.

Dated this 30th day of June 2010



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