

**Australian Securities and Investments Commission  
National Consumer Credit Protection Act 2009 — Paragraphs 109(1)(a) and (c)  
— Exemption and Declaration**

**Enabling provision**

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

**Title**

2. This instrument is ASIC instrument 11-0076.

**Commencement**

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

**Declaration**

4. ASIC declares that the provisions to which Part 2-6 of the Act applies apply as if Part 2-3 of the Act were modified or varied by, after subsection 67(4), inserting:
  - “(5) Where an authorisation (the *expired authorisation*) covered by subsection (3) ceased to have effect under subsection (4):
    - (a) the person who purported to give the expired authorisation is taken to purport to give on 31 January 2011 an authorisation (the *deemed authorisation*) under subsection 64(1) or 65(1) as the case requires that is in the same terms as the expired authorisation; and
    - (b) the deemed authorisation has effect when it is given and is taken not to contravene subsection (1).”.
  - (6) If the registered person covered by the deemed authorisation does not request the cancellation of the registered person’s registration within 15 business days after 31 January 2011, the deemed authorisation ceases to have effect at the end of the 15 business days.”.

Note: Regulation 25A of the *National Consumer Credit Protection Regulations 2010* has the effect that section 67 of the Act applies as if subsections 67(3) and (4) as specified in that regulation were subsections of the Act.

**Where declaration applies**

5. The declaration in paragraph 4 applies in relation to a person specified in the Schedule in respect of the authorisation purportedly given by the person specified in the Schedule.

### Exemption

6. A person that purported to give an authorisation specified in the Schedule that ceased to have effect because of subsection 67(4) of the Act:
- (a) does not have to comply with subsections 70(1) and 71(4) of the Act in relation to the authorisation; and
  - (b) does not have to comply with subsection 71(1) of the Act in relation to an authorisation that is taken to be given by subsection 67(5) of the Act.

### Interpretation

7. In this instrument:
- (a) **registered person** means a person who is registered under item 12 of Schedule 2 to the Transitional Act.
  - (b) references to provisions of the Act include references to those provisions as they apply because of item 33 of Schedule 2 to the Transitional Act.

Dated this 27<sup>th</sup> day of January 2011



Signed by Fleur Grey  
as a delegate of the Australian Securities and Investments Commission

## Schedule

Licensee/registered person/body corporate that gave the authorisation	Date of authorisation	Registered person given the authorisation	Credit representative number of registered person given the authorisation	Licensee/registered person where authorisation given by body corporate credit representative
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	01/07/2010	KERRIE LOUISE WEBB	372894	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	27/08/2010	SONIA CAROLE ROLL	380167	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	27/08/2010	SCR MORTGAGES PTY LTD (ACN 125 039 956)	380165	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	01/07/2010	FATEN TINA AWAD	370568	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	01/07/2010	MICHAEL JOHN GIACOMANTONIO	373947	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	01/07/2010	BRETT WILLIAM JAMES LACEY	373962	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	01/07/2010	MARK GRAHAM THOMAS	373964	
AHL INVESTMENTS PTY LTD (ACN 105 265 861)	01/07/2010	MAGDALENE JIMENEZ	372899	
RAMAMURTHY & CO PTY LTD (ACN 105 383 337)	01/11/2010	MADALENA BARBARA	387997	AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)
TOWN & COUNTRY FINANCE PTY LTD (ACN 112 321 061)	01/07/2010	PETER YORKE CHISLETT	375179	AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)