Australian Securities and Investments Commission
National Consumer Credit Protection Act 2009 — Paragraphs 109(1)(a) and 109(1)(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 [11-0486].

Commencement

3. This instrument commences on 24 May 2011.

Declaration (Persons specified in Schedule A)

4. ASIC declares that the provisions to which Part 2-6 of the Act applies (as affected by ASIC Instrument [10-1124]) apply as if Part 2-3 of the Act were modified or varied by, after section 67, inserting:

"**67A Operation of certain authorisations**

(1) Subsection (2) applies in relation to an authorisation (***deemed authorisation***) taken to be given by subsection 67(5).

(2) If, before 26 November 2010, the person who purported to give the authorisation (the ***expired authorisation***) covered by subsection 67(3) to which the deemed authorisation relates:

(a) revoked the expired authorisation in accordance with subsection 70(1); and

(b) lodged with ASIC a written notice of the revocation in accordance with subsection 71(4);

the deemed authorisation ceases to have effect on the commencement of this subsection.

(3) Subsections 70(1) and 71(4) do not apply in relation to the deemed authorisation ceasing to have effect because of subsection (2).".

5. The declaration in paragraph 4 applies in relation to a person specified in Schedule A in respect of the authorisation taken to be given by the person specified in Schedule A by subsection 67(5) of the Act (as notionally inserted by ASIC Instrument [10-1124]).

Exemption (Persons specified in Schedule B)

6. A person that has been taken to give an authorisation specified in Schedule B by subsection 67(5) of the Act (as notionally inserted by ASIC Instrument [10-1124]) does not have to comply with subsections 70(1) or 71(4) of the Act in relation to the authorisation.

Declaration (Persons specified in Schedule C)

7. 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 66(2), inserting:

"(3) Where:

(a) an authorisation (the ***deemed authorisation***) is taken to have been given to a person because of an instrument made by ASIC under section 109; and

(b) at any time after the deemed authorisation is taken to have been given, a licensee purports to give an authorisation (the ***ineffective authorisation***) to the person under subsection 64(1); and

(c) the ineffective authorisation is of no effect under paragraph (2)(a);

the licensee who purported to give the ineffective authorisation is taken to give on 23 May 2011 an authorisation (the ***new deemed authorisation***) under subsection 64(1) that is in the same terms as the ineffective authorisation.

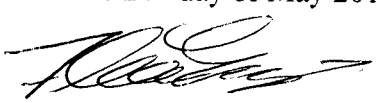
(4) Subsection 71(1) does not apply in relation to the new deemed authorisation.".

8. The declaration in paragraph 7 applies in relation to a person specified in Schedule C in respect of the authorisation purportedly given by the person specified in Schedule C.

Interpretation

9. In this instrument references to provisions of the Act include references to those provisions as they apply because of item 33 of Schedule 2 to the *National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009*.

Dated this 24th day of May 2011



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

Schedule A

Licensee/registered person/body corporate that is taken to have given the authorisation under subsection 67(5) of the Act (as notionally inserted by ASIC instrument 10-1124)	Registered person given the authorisation	Credit representative number of registered person given the authorisation
AMP FINANCIAL PLANNING PTY LIMITED ACN 051 208 327	PETER MINNUCCI	373501
NOLANDS PTY LTD ACN 103 399 408	HOLLY MAREE MACKIE	377267

Schedule B

Licensee/registered person/body corporate that is taken to have given the authorisation under subsection 67(5) of the Act (as notionally inserted by ASIC instrument 10-1124)	Registered person given the authorisation	Credit representative number of registered person given the authorisation
AMP FINANCIAL PLANNING PTY LIMITED ACN 051 208 327	PMF FINANCIAL SERVICES PTY. LTD. ACN 060 098 991	372188
PREMIUM FUNDING PTY. LTD. ACN 057 306 171	PETER VICKERS INSURANCE BROKERS PTY LTD ACN 074 294 081	365222
JAMES ANDRE THANE	CASSANDRA JADE ENRIGHT	366307
FIRSTFOLIO WHOLESALE PTY LTD ACN 094 017 571	ILKER KUL	370723
AHL INVESTMENTS PTY LTD ACN 105 265 861	ALISON FERGUSON SERVICES PTY LTD ACN 139 352 444	366743
AHL INVESTMENTS PTY LTD ACN 105 265 861	MOSSIE BANDS PTY LTD ACN 124 367 817	374067
REVA BROKING PTY LTD ACN 105 230 019	BI FRESH PTY LTD ACN 111 926 517	374107
EXPERT LENDING PTY LTD ACN 129 515 340	ADAM ROSLIN-CLARK	373977
AMP FINANCIAL PLANNING PTY LIMITED ACN 051 208 327	ASPIRE FINANCIAL PLANNERS PTY LTD ACN 100 853 316	375101
HILLROSS FINANCIAL SERVICES LIMITED ACN 003 323 055	SEAMUS FENNELLY	368857

STRATTON FINANCE PTY LTD ACN 070 636 903	GARY TOLLIDAY & ASSOCIATES PTY LTD ACN 006 297 374	375168
STRATTON FINANCE PTY LTD ACN 070 636 903	WILLIAMS FINANCIAL CONSULTING PTY. LTD. ACN 106 392 965	374355
VISION MORTGAGE SOLUTIONS PTY LTD ACN 107 692 151	MORETON FINANCE PTY LTD ACN 132 283 928	366851
AUSTRALIAN LOAN COMPANY LTD ACN 100 947 804	NAVDEEP SINGH BANDESHA	367790
AUSTRALIAN LOAN COMPANY LTD ACN 100 947 804	CIVIC FINANCIAL GROUP PTY LTD ACN 138 578 702	367694
AUSTRALIAN LOAN COMPANY LTD ACN 100 947 804	PROFESSIONAL INVESTMENT SERVICES PTY LTD ACN 074 608 558	367784
ECHOICE PTY LTD ACN 082 572 683	ROBERT LI	367828
AHL INVESTMENTS PTY LTD ACN 105 265 861	GINZA FINANCIAL SERVICES PTY LTD ACN 081 945 708	373921
MORTGAGE STREET FINANCIAL SERVICES PTY LTD ACN 099 516 499	BARRY GEORGE COLLINGS	369083
AHL INVESTMENTS PTY LTD ACN 105 265 861	ANJU VIEWS PTY. LTD. ACN 106 544 503	373795
REVA BROKING PTY LTD ACN 105 230 019	ROBYN HOLLIS	365868

Schedule C

Licensee that gave the purported authorisation	**Date of purported authorisation**	**Registered person given the purported authorisation**	**Credit representative number of registered person given the purported authorisation**
RATE BUSTERS PTY LTD ACN 102 194 561	5/01/11	HOLLY MAREE MACKIE	377267
SYREE ENTERPRISES PTY LTD ACN 117 674 236	9/12/2010	ROBYN LYTTON HOLLIS	392089