



Commonwealth of Australia



**ASIC**

Australian Securities &  
Investments Commission

Commonwealth of Australia Gazette

No. ASIC 09/03, Tuesday, 4 March 2003

Published by ASIC

# ASIC Gazette

---

## Contents

### Notices under the Corporations Act 2001

02/1430	03/0104
03/0107	03/0108
03/0109	03/0110
03/0111	03/0112
03/0113	03/0114
03/0115	03/0116
03/0117	03/0118
03/0119	03/0120
03/0121	03/0122
03/0123	

---

ISSN 1445-6060 (Online version)  
ISSN 1445-6079 (CD-ROM version)

Available from [www.asic.gov.au](http://www.asic.gov.au)  
Email [gazette.publisher@asic.gov.au](mailto:gazette.publisher@asic.gov.au)

© Commonwealth of Australia, 2003

This work is copyright. Apart from any use permitted under the *Copyright Act 1968*, all rights are reserved. Requests for authorisation to reproduce, publish or communicate this work should be made to: Gazette Publisher, Australian Securities and Investment Commission, GPO Box 5179AA, Melbourne Vic 3001

**ASIC 02 / 1430**

Australian Securities &amp; Investments Commission

**Australian Securities and Investments Commission  
Corporations Act — Paragraphs 601QA(1)(a) 911A(2)(l) and 1020F(1)(a) — Exemption**

Pursuant to paragraphs 601QA(1)(a) 911A(2)(l) and 1020F(1)(a) of the **Corporations Act 2001 ("Act")** the Australian Securities and Investments Commission hereby exempts the persons referred to in Schedule A from:

- (a) section 601ED of the Act in relation to the operation of a managed investment scheme described in Schedule B on the conditions specified in Schedule C.
- (b) the requirement to hold an Australian financial services licence for the provision of financial services consisting of dealing in interests in the scheme referred to in Schedule B until 11 March 2004, on the conditions specified in Schedule C.
- (c) the requirement to hold an Australian financial services licence for the provision of financial services consisting of the provision of general advice reasonably given in connection with the offer of interests in the scheme referred to in Schedule B, until 11 March 2004, on the conditions specified in Schedule C.
- (d) from Part 7.9 of the Act in the case of an offer to issue, an offer to arrange the issue of and the issue of an interest in the scheme referred to in Schedule B, until the earlier of 11 March 2004 or the date that the persons referred to in Schedule A lodge a notice with the Australian Securities and Investments Commission under sub section 1438(b) of the Act, on the conditions specified in Schedule C.

**SCHEDULE A – Persons Exempted**

QBE Insurance (Australia) Limited ("QBE") ACN 003 191 035  
Australian Rugby Union Limited ("ARU") ACN 002 898 544

**SCHEDULE B – Scheme Exempted**

The operation of a self - insurance facility for ARU called the ARU scheme ('the scheme') established by Funded Deductible and Claims Management Agreement between ARU and QBE dated 25 March 2002 ("Agreement").

**SCHEDULE C**

1. QBE must take all reasonable steps to ensure that each member and affiliate member of ARU (including member clubs and associations of the various State

02 / 1430

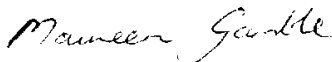
ARU members) (as defined in limb (b) of the definition of "ARU Member" in the Agreement), receives information about the scheme setting out:

- a) The terms of the scheme;
- b) Adequate information about the process by which any claims are to be made under the scheme; and
- c) Their rights and the rights of all ARU Members (as defined in the Agreement) under the Agreement.

This condition shall only apply to the scheme until the date referred to above in (d) of this exemption.

2. QBE must engage at all times appropriate persons (either as officers, employees or agents) to operate the scheme in accordance with the Agreement, including the handling and management of Claims (as defined in the Agreement).
3. ARU must ensure that any moneys received by it or on its behalf by way of contribution to the Deductible Amount (as defined in the Agreement) under the scheme are promptly paid to QBE in accordance with the Agreement.
4. QBE must provide regular status reports to ARU of any Claims (as defined in the Agreement) made under the Agreement, and must allow ARU to conduct an audit of QBE's records to ensure that the Deductible Amount is applied in accordance with the terms of the Agreement.
5. QBE must ensure that the Deductible Amount is held in a trust account for ARU in accordance with the Agreement.
6. QBE, in making any disclosures in connection with the scheme to ARU members (as defined under the Agreement), must not engage in any misleading or deceptive conduct or conduct that is likely to mislead or deceive.
7. QBE and ARU must provide an information line or internet site to assist with inquiries from ARU Members (as defined in the Agreement), about the operation and structure of the scheme.
8. QBE and ARU must promptly notify ASIC in writing if either of them fails to comply with any of these conditions and provide to ASIC all information that may be reasonably be expected to be relevant to ASIC considering if it should revoke the exemption.

Dated the 23<sup>rd</sup> day of December 2002



Signed by Maureen Gamble  
as delegate of the Australian Securities and Investments Commission

03 / 0104

**Australian Securities and Investments Commission  
Corporations Act 2001 - Paragraph 601QA(1)(a) - Exemption**

Under paragraph 601QA(1)(a) of the *Corporations Act 2001* ("the Act") the Australian Securities and Investments Commission hereby exempts each responsible entity of a registered managed investment scheme that is a time-sharing scheme ("Scheme") from paragraph 601FG(1)(a) of the Act in the case described in Schedule A on the condition set out in Schedule B and for as long as it is met.

**Schedule A**

The acquisition and holding by the responsible entity of an interest in the Scheme ("forfeited interest") that is forfeited to the responsible entity in the following manner and in accordance with provisions of the constitution of the Scheme which provide for the following matters:

1. The forfeiture occurs as a result of a member ("defaulting member") not paying:
  - (a) amounts payable to the responsible entity as Scheme property, including, without limitation, amounts payable to acquire the forfeited interest or amounts payable for on-going periodic maintenance of Scheme property; or
  - (b) amounts payable to a financier with respect to financial accommodation provided by that financier in connection with the acquisition of the forfeited interest, where the constitution of the Scheme requires members to make on-going periodic payments for maintenance of Scheme property.
2. The responsible entity must use reasonable endeavours to sell the forfeited interest:
  - (a) if a Product Disclosure Statement has been given in accordance with Part 7.9 of the Act during the last 12 months for interests in the Scheme in the same class as the forfeited interest - at the price shown in the statement most recently given; or
  - (b) if the new product disclosure provisions (as defined in section 1438 of the Act) do not apply to interests in the Scheme in the same class as the forfeited interest and there is a current prospectus for interests in that class - at the price shown in that prospectus or in the most recent loose leaf price list accompanying that prospectus; or
  - (c) in any other case - at a fair market price obtained by the responsible entity using reasonable endeavours.

Note: Class Order [CO 02/315] facilitates the use of loose-leaf price lists with prospectuses for time-sharing schemes.

3. The responsible entity must apply any proceeds of sale or of other exploitation by it of the forfeited interest (including, without limitation, any proceeds of rental of the forfeited interest) in the following manner:

2

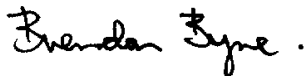
03 / 0104

- (a) first, in payment of reasonable costs of the sale or other exploitation;
- (b) next, in payment of any reasonable administrative costs arising from the forfeiture;
- (c) next, in payment of any outstanding amounts due from the defaulting member as Scheme property;
- (d) next, in payment of any outstanding amounts due from the defaulting member to the responsible entity (other than as Scheme property) or any other person in relation to that member's participation in the Scheme (other than amounts referred to in paragraph (e));
- (e) next, in payment of any amounts payable by the defaulting member or the responsible entity to a financier in relation to a liability of the member to that financier for amounts with respect to financial accommodation provided by that financier in connection with the acquisition of the forfeited interest;
- (f) next, by paying any remaining amount to the defaulting member.

#### Schedule B

The responsible entity must ensure that before any person acquires an interest in the Scheme, disclosure is made to them of the circumstances in which forfeiture of the interest may occur and of the procedures for dealing with forfeiture, with such disclosure to be made in the Product Disclosure Statement or prospectus if there is one, or otherwise in writing if there is not.

Dated the 17th day of February 2003



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

03 / 0107

**Australian Securities and Investments Commission  
Corporations Act  
Paragraph 601QA(1)(b) – Declaration**

Under paragraph 601QA(1)(b) of the Corporations Act ("Act") the Australian Securities and Investments Commission ("ASIC") declares that the provisions of Part 5C of the Corporations Act described in Schedule A apply to AMP Henderson Global Investors Limited (ACN 001 777 591) ("AMPHGI") as the responsible entity of AMP Wholesale Shopping Centre Trust 1 (ARSN 103 738 834) and AMP Wholesale Shopping Centre Trust 2 (ARSN 103 738 727) (the "Registered Schemes") in the case described in Schedule B.

**Schedule A**

1. Delete Part 5C.6;
2. In paragraph 601GA(4)(b), delete the words "if the right may be exercised while the scheme is liquid (as defined in section 601KA)" and replace the "; and" with "."; and
3. Delete section 601GA(4)(c).

**Schedule B**

The redemption of units in the Registered Schemes in accordance with the terms of and as contained in the constitutions of the Registered Schemes in which:

1. All members acquired their units in the Registered Schemes in response to an offer:
  - (a) made before the Effective Date and to which sub-section 708(8) or sub-section 708(11) of the Act applied as at the time of the offer ("sophisticated or professional investor"); or
  - (b) made on or after the Effective Date to a wholesale client within the meaning of section 761G of the Act.
2. All members of the Registered Scheme have the opportunity to withdraw up to 25% of their units every 5 years in accordance with the procedures set out in the constitution;
3. The withdrawal is based on a calculation of the net asset value of the Registered Scheme as at the valuation date immediately before the withdrawal price for the units is paid in accordance with the constitution.
4. AMPHGI as Responsible Entity reasonably considers that it would be fair to all members to allow the withdrawal on these terms.

**Interpretation**

**Commencement Date** means the date of commencement of Schedule 1 to the Financial Services Reform Act 2001;

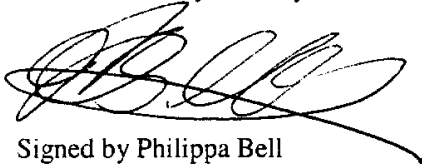
**Effective Date** means:

**03 / 01 07**

(a) for a managed investment scheme in which no interests of the same class were issued before the Commencement Date – the Commencement Date; and

(b) For any other scheme – the date on which the new product disclosure provisions (as defined in section 1438 of the Act) first apply in relation to the interests in the scheme.

Dated the twenty first day of February 2003



Signed by Philippa Bell  
as delegate of the Australian Securities and Investments Commission

03/0108

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

Pursuant to paragraph 655A(1)(b) of the Corporations Act 2001 (the "Act"), the Australian Securities and Investments Commission ("ASIC") declares that Chapter 6 of the Act applies to the person named in Schedule A in the case referred to in Schedule B as if section 650D of the Act were modified or varied as follows:

- (a) paragraph 650D(1)(c) were modified by deleting the words "give the notice to" and substituting the words "give a copy of the notice to"; and
- (b) the text of subsection 650D(3) were omitted and the following were substituted:

"A notice under subsection (1) must be approved by a resolution passed by the directors of the bidder."


**Schedule A**

Cephalon Australia Pty Limited ACN 103 410 493 ("Bidder")

**Schedule B**

All notices of variation lodged with ASIC pursuant to subsection 650D(1) of the Act in relation to the offers made under the takeover bid by the Bidder for all the ordinary shares and options over unissued shares in Sirtex Medical Limited ACN 078 166 122 in respect of which bidder's statement are to be lodged with ASIC on or about the date of this instrument.

Dated this 24<sup>th</sup> day of February 2003



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



03/0109

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
CORPORATIONS ACT 2001 – SUBSECTION 257D(4)  
EXEMPTION

Pursuant to subsection 257D(4) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("ASIC") exempts the person mentioned in Schedule A from compliance with section 257D of the Act in the case referred to in Schedule B on the conditions specified in Schedule C.

## SCHEDULE A

Normandy NFM Limited ACN 007 688 093 ("NFM")

## SCHEDULE B

A share buy-back scheme offered or to be offered to all holders of NFM ordinary shares in or around April 2003 ("buy-back offers") which:

1. is conditional on the Scheme of Arrangement being approved by holders of NFM shares and the Federal Court of Australia and taking effect;
2. is substantially in the terms contemplated by the draft buy-back offer document provided to ASIC on 6 February 2003; and
3. complies with the requirements in subsection 257B(2) of the Act subject to subsection 257B(3) of the Act except to the extent that buy-back agreements may be entered into before the time specified for acceptances of offers has closed.

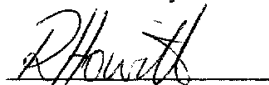
## SCHEDULE C

1. The percentage of shares which NFM buys back does not exceed the limit in subsection 257B(4) of the Act.
2. NFM does not vary the consideration offered under the buy-back scheme during the buy-back offer period.

**Interpretation**

"Scheme of Arrangement" means the scheme of arrangement proposed between NFM and the holders of NFM shares pursuant to Part 5.1 of the Act as outlined in the draft explanatory statement lodged with ASIC on 6 February 2003.

Dated this 20<sup>th</sup> day of February 2003



Rachel Howitt  
a delegate of the Australian Securities and Investments Commission

03 / 0110

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 259C(2) - Exemption**

Pursuant to subsection 259C(2) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("ASIC") exempts, for a period of 12 months from the date of this exemption, unless otherwise revoked, the persons specified in Schedule A in the case referred to in Schedule B from compliance with section 259C of the Act on the conditions set out in Schedule C for as long as they are met

**Schedule A**

Commonwealth Securities Limited ACN 067 254 399 ("ComSec")  
Commonwealth Bank of Australia ACN 123 123 124 ("Commonwealth").

**Schedule B**

The purchase of ordinary shares in Commonwealth ("Commonwealth shares") by ComSec as principal, in the 10 trading days following the Record Date, on the financial market operated by Australian Stock Exchange Limited ACN 008 624 691 ("ASX") for the purpose of transferring the Commonwealth shares so purchased to participants in Commonwealth's Dividend Reinvestment Plan ("DRP").

**Schedule C**

1. The condition in paragraph (a) below relates only to those Commonwealth shares and units of Commonwealth shares in circumstances where, but for this exemption, their transfer to ComSec would contravene section 259C of the Act:
  - (a) Commonwealth and ComSec do not exercise votes attaching to Commonwealth shares nor control or influence the exercise of votes attached to Commonwealth shares.
2. No more than 0.5% of the issued capital of Commonwealth is transferred to ComSec.
3. Within 10 trading days of ComSec transferring Commonwealth shares to participants in Commonwealth's DRP as contemplated by Schedule B, any remaining Commonwealth shares held by ComSec purchased as contemplated in Schedule B are disposed of by ComSec on the financial market operated by ASX.
4. Commencing on the date of this exemption, ComSec maintains records of trading by ComSec in Commonwealth shares purchased as contemplated in Schedule B.
5. ComSec retains the records of trading referred to in condition 4 above for a period of 12 months from the date of each trade.

03 / 0110


6. ComSec makes the records referred to in condition 4 above available for inspection to ASIC or ASX during business hours and within 1 business day of receipt of a written request for such access from ASIC or ASX.

### Interpretation

In this instrument:

- (a) "Record Date" means either:
- (i) 21 February 2003, the date nominated by the directors of Commonwealth for the purpose of identifying the Commonwealth shareholders who are entitled to receive the interim dividend of Commonwealth shares for the half-year ended 31 December 2002; or
  - (ii) the date on or about 29 August 2003, as nominated by the directors of Commonwealth for the purpose of identifying the Commonwealth shareholders who are entitled to receive the final dividend of Commonwealth shares for the financial year ending 30 June 2003.
- (b) "trading day" has the same meaning as in the operating rules of the financial market operated by ASX.

Dated: 21 February 2003



Signed by Shirley Wu  
as a delegate of the Australian Securities and Investments Commission

03 / 0111

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)**

**Order revoking licence**

**TO:** Magarey Vineyards Ltd, ACN 086 494 313 (“the Licensee”)  
Stephen Wilkins  
PO Box 181  
BULLEEN VIC 3105

Under paragraph 825A of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 187307 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 21<sup>st</sup> day a February 2003



Signed by Kathryn Flanagan  
as a delegate of the Australian Securities and Investments Commission

03 / 0112

**Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)****Order revoking licence**

**TO:** QVB Investment Management Limited, ACN 081 608 291 (“the Licensee”)  
Company Secretary  
PO Box Q292  
QVB Post Shop  
SYDNEY NSW 1230

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 176718 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 21<sup>st</sup> day of February 2003



Signed by Kathryn Flanagan  
as a delegate of the Australian Securities and Investments Commission

03 / 0113

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsections 655A(1) and 669(1) – Declaration**

Pursuant to subsection 655A(1) of the Corporations Act 2001 (the "Act") the Australian Securities and Investments Commission ("ASIC") hereby declares that Chapter 6 of the Act applies in relation to the person specified in Schedule A in the case specified in Schedule B as if:

1. subsection 605(2) were modified or varied by:
  - (a) deleting "or" at the end of paragraph (a);
  - (b) deleting "." at the end of paragraph (b) and substituting "; or"; and
  - (c) inserting the following paragraph after paragraph (b):
    - "(c) they are options which have different exercise prices and different exercise dates.";
2. subsection 618(1) were modified or varied by inserting the words "or compensate the holders of such securities for the cancellation, surrender or forfeiture of" after the word "buy" where it first appears in that subsection; and
3. subsection 619(2) was modified or varied by:
  - (a) deleting "." at the end of paragraph (e) and substituting "; and"; and
  - (b) inserting the following paragraph after paragraph (e):
    - "(f) any differences in the offers attributable to the fact that the offers relate to options which have different exercise prices and different exercise dates.".

And, pursuant to subsection 669(1) of the Act, ASIC hereby declares that Chapter 6A of the Act applies in relation to the person specified in Schedule A in the case specified in Schedule B as if:

1. Division 1 of Part 6A.1 of the Act were modified or varied by adding a new section 661G which reads:
 

"In this Division, a reference to acquiring securities, when used in relation to non-transferable securities, includes securing binding commitments from holders to the surrender or forfeiture of the rights attached to those securities and the cancellation of those securities.";
2. Division 1 of Part 6A.2 of the Act were modified or varied by adding a new section 664H which reads:
 

"In this Division, a reference to acquiring securities, when used in relation to non-transferable securities, includes securing binding commitments from holders to the surrender or forfeiture of the rights attached to those securities and the cancellation of those securities.";
3. Subparagraph 661A(1)(b)(ii) of the Act were modified or varied by adding the words "excluding securities exercised after the date set by the bidder under subsection 633(2) and before the end of the offer period" after the word "bid" where first appearing;
4. Part 6A.3 of the Act were modified or varied by adding a new section 666C which reads:
  - "(1) Under this section, in the case of securities that are not capable of being transferred, the person acquiring the securities must:

03 / 0113

- (a) give the company that issued the securities a copy of the compulsory acquisition notice under section 661B or 664C together with a deed poll providing for the surrender or forfeiture of the rights attached to those securities and the cancellation of those securities signed on behalf of the holder of the securities by someone appointed by the person acquiring the securities; and
- (b) pay, issue or transfer the consideration for the surrender or forfeiture of the rights attached to those securities and the cancellation of those securities to the company that issued the securities.

The person appointed under paragraph (a) has authority to sign the deed poll on behalf of the holder of the securities.

- (2) If the person acquiring the securities complies with subsection (1), the company that issued the securities must:
  - (a) cancel the securities; and
  - (b) hold the consideration received under subsection (1) in trust for the person who held the securities immediately before the surrender or forfeiture of the rights attached to those securities and the cancellation of those securities; and
  - (c) give written notice to the person referred to in paragraph (b) as soon as practicable that the consideration has been received and is being held by the company pending their instructions as to how it is to be dealt with.
- (3) If the consideration held under subsection (2) consists of, or includes, money, that money must be paid into a bank account opened and maintained for that purpose only.”.

#### Schedule A

Cephalon Australia Pty Limited ACN 103 410 493 ("Bidder")

#### Schedule B

The off-market takeover bid ("Bid") by Bidder for all of the options over unissued ordinary shares in Sirtex Medical Limited ACN 078 166 122 in respect of which a bidder's statement is to be lodged with ASIC on or about the date of this instrument.

Dated: 24 February 2003



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

**03 / 0114****Australian Securities and Investments Commission  
Corporations Act 2001 – Paragraph 825(a)****Order revoking licence**

**TO:** E W Reynolds Pty Ltd, ACN 002 083 936 (“the Licensee”)  
Level 6  
333 George St  
SYDNEY NSW 2000

Under paragraph 825(a) of the *Corporations Act 2001* (as continued in force by subsection 1432(1) of that Act), the Australian Securities and Investments Commission revokes Licence Number 55305 held by the Licensee with effect from when this order is served on the Licensee.

Dated this 24<sup>th</sup> day of February 2003



Signed by Kathryn Flanagan

as a delegate of the Australian Securities and Investments Commission



**CORPORATIONS ACT 2001**

**SECTION 830**

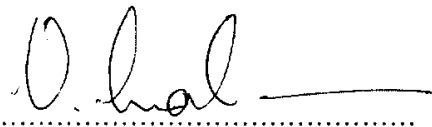
**03 / 0115**

**ORDER BANNING PERSON**

TO: Robert Huston Reynolds  
23 Lillywood Street  
Molendinar Qld 4214

TAKE NOTICE that pursuant to sections 829(d) and 830(1)(a) and (e) of the Corporations Act 2001, the Australian Securities and Investments Commission **HEREBY PROHIBITS YOU** permanently from the service of this order on you from doing an act as a representative of a securities dealer or of an investment adviser.

Dated this 20<sup>TH</sup> day of January 2003



Valdemar Malinaric  
Delegate of the Australian Securities and  
Investments Commission

Your attention is drawn to section 835 of the Corporations Act 2001 which provides that a person shall not contravene a banning order relating to the person.

Penalty: \$2,500 or imprisonment for 6 months or both

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

**03 / 0116**

Pursuant to subsection 741(1)(a) of the Corporations Act 2001 ("the Act") the Australian Securities and Investments Commission exempts the person specified in Schedule A in the case specified in Schedule B from subsection 711(3) of the Act on the conditions set out in Schedule C for so long as they are met.

**Schedule A**

BT Funds Management Limited (ABN 63 002 916 458)

**Schedule B**

Where the prospectus has been lodged on or shortly after the date of this instrument, an offer for interests is made under a prospectus for the following funds:

BT Future Goals Fund	ARSN 087 593 128	BT American Growth Fund	ARSN 087 587 906
BT Balanced Returns Fund	ARSN 087 593 057	BT Pacific Basin Fund	ARSN 087 595 131
BT Income Plus Fund	ARSN 087 592 970	BT Japanese Growth Fund	ARSN 091 206 272
BT Monthly Income Fund	ARSN 087 591 884	BT TIME Fund	ARSN 091 512 426
BT Split Income Fund	ARSN 087 531 566	Multi-manager Diversified Shares	ARSN 102 760 896
BT Split Growth Fund	ARSN 087 531 575	BT Property Securities Fund	ARSN 087 588 627
BT International Fund	ARSN 087 594 625	BT Australasian Bond Fund	ARSN 087 589 222
BT Australian Share Fund	ARSN 087 595 739	BT Global Bond Fund	ARSN 087 593 002
BT European Growth Fund	ARSN 087 596 227	BT Cash Management Trust	ARSN 087 531 539
BT Australian Small Companies Fund	ARSN 099 427 193	Multi-manager Growth	ARSN 098 405 308
Multi-manager Conservative	ARSN 098 405 479	BT Partner Australian Shares Growth 1	ARSN 102 760 663
BT Partner Australian Shares Value 1	ARSN 102 748 185	BT Partner International Shares Value1	ARSN 102 750 158
BT Partner Australian Shares Core 1	ARSN 102 749 744	BT Partner International Shares Growth 1	ARSN 102 750 407

Multi-manager ARSN 098 405 380  
Balanced

03 / 0116

**Schedule C**

1. The prospectus must set out:

(a) in the case of the last 2 years, any amount that anyone has paid or agreed to pay, or the nature and value of any benefit anyone has given, and

(b) in the case of the last 5 years, any material amount that anyone has paid or agreed to pay, or the nature and value of any material benefit anyone has given or agreed to give:

(i) to a director, or proposed director, to induce them to become, or to qualify as, a director of the body; and

(ii) for services provided by a person referred to in paragraph 2 below in connection with:

- (A) the formation or promotion of the body; or
- (B) the offer of the securities; and

(iii) if the prospectus is for interests in a managed investment scheme – to the responsible entity:

- (A) to procure acquisitions of interests in the scheme; or
- (B) for services provided under the constitution of the scheme.

The prospectus must not merely state that a person has been paid or will be paid normal, usual or standard fees.

2. Disclosure needs to be made under paragraph 1 above in relation to:

(a) any directors and proposed directors of the body;

(b) a person named in the prospectus as performing a function in a professional, advisory or other capacity in connection with the preparation or distribution of the prospectus;

(c) a promoter of the body;

(d) an underwriter (but not a sub-underwriter) to the issue or sale or a financial services licensee named in the prospectus as a financial services licensee involved in the issue or sale.

Dated 20<sup>th</sup> February 2003



Signed by Catherine So  
as a delegate of the Australian Securities and Investments Commission

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 655A(1) – Declaration****03 / 0117**

Pursuant to paragraph 655A(1)(b) of the Corporations Act 2001 (the "Act"), the Australian Securities and Investments Commission ("ASIC") hereby revokes ASIC instrument numbered 03/0108 dated 24 February 2003, and declares that Chapter 6 of the Act applies to the person named in Schedule A in the case referred to in Schedule B as if section 650D of the Act were modified or varied as follows:

- (a) paragraph 650D(1)(c) were modified by deleting the words "give the notice to" and substituting the words "give a copy of the notice to"; and
- (b) the text of subsection 650D(3) were omitted and the following were substituted:

"A notice under subsection (1) must be approved by a resolution passed by the directors of the bidder."

**Schedule A**

Cephalon Australia Pty Limited ACN 103 410 493 ("Bidder")

**Schedule B**

All notices of variation lodged with ASIC pursuant to subsection 650D(1) of the Act in relation to the offers made under the takeover bids by the Bidder for all the ordinary shares and options over unissued shares in Sirtex Medical Limited ACN 078 166 122 in respect of which bidder's statements are to be lodged with ASIC on or about the date of this instrument.

Dated this 24<sup>th</sup> day of February 2003



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

03 / 0118

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION  
CORPORATIONS ACT 2001 SUBSECTION 340(1)  
ORDER**

Pursuant to subsection 340(1) of the Corporations Act 2001 ("the Act"), the Australian Securities and Investments Commission ("ASIC") relieves the person specified in Schedule A from the requirement in subsection 323D(5) of the Act, that the half-year of a registered scheme is the first six months of a financial year, in the case specified in Schedule B, on the condition specified in Schedule C:

**Schedule A**

Macquarie Specialised Asset Management Limited (ACN 087 382 965) as responsible entity of the Southern Cross FLIERS Trust (ARSN 100 803 049).

**Schedule B**

The first half-year of the Southern Cross FLIERS Trust (ARSN 100 803 049) (the "Trust").

**Schedule C**

The first half-year of the Trust is the period from 12 June 2002 to 31 December 2002 (inclusive).

Dated: 25 February 2003



Michael Donnelly  
as Delegate for the Australian Securities and Investments Commission

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

03 / 0119

Pursuant to subsection 741(1) of the Corporations Act 2001 ("Act") the Australian Securities and Investments Commission ("ASIC") hereby declares that Chapter 6D of the Act applies to the persons referred to in Schedule A in the case mentioned in Schedule B as if Parts 6D.1 and 6D.2 of the Act were modified or varied as follows:

1. By omitting subsection 700(3) of the Act and substituting a new subsection as follows:  
"(3) For the purposes of this Chapter, the person who offers equitable interests in shares is the body who issues the underlying shares."
2. By adding "or" at the end of paragraph 713(1)(b) of the Act and inserting a new paragraph as follows:  
"(c) equitable interests in continuously quoted securities of a body;"
3. By deleting the full stop and inserting "; and" at the end of subparagraph 713(2)(d)(ii) of the Act and inserting a new paragraph as follows:  
"(c) if the securities are equitable interests – the rights and liabilities attaching to:  
(i) the equitable interests themselves; and  
(ii) the underlying securities."

**Schedule A**

1. Woolworths Limited ACN 000 014 675 ("**Woolworths**")
2. Woolworths Custodian Pty Limited ACN 002 940 445 ("**Woolworths Custodian**")

**Schedule B**

An offer, issue, transfer or sale of interests in Woolworths shares to employees of Woolworths or its subsidiaries where:

1. The offer, issue, transfer or sale of interests in Woolworths shares is made pursuant to the Woolworths Employee Share Plan ("**Plan**"); and
2. A prospectus in relation to the Plan is lodged with ASIC on or about 28 February 2003.

Dated 25 February 2003



Signed by Shirley Wu  
as a delegate of the Australian Securities and Investments Commission



ASIC 03/0120

Australian Securities & Investments Commission

**Australian Securities and Investments Commission  
Corporations Act — Paragraphs 601QA(1)(a) 911A(2)(l) and 1020F(1)(a) — Variation**

Pursuant to paragraphs 601QA(1)(a) 911A(2)(l) and 1020F(1)(a) of the **Corporations Act 2001** ("Act") the Australian Securities and Investments Commission hereby varies the exemption instrument dated 23 December 2002 granted by Maureen Gamble to QBE Insurance (Australia) Limited ACN 003 191 035 and Australia Rugby Union Limited ACN 002 898 544 as follows:

Replace paragraph (d) with the following new paragraph (d):

- "(d) from Part 7.9 of the Act in the case of an offer to issue, an offer to arrange the issue of and the issue of an interest in the scheme referred to in Schedule B, until the earlier of 11 March 2004 or the date that the persons referred to in Schedule A lodge a notice with the Australian Securities and Investments Commission under paragraph 1438(3)(b) of the Act, on the conditions specified in Schedule C."

Dated the 3<sup>rd</sup> day of January 2003

Signed by Maureen Gamble  
as a delegate of the Australian Securities and Investments Commission

Takeovers Panel  
Corporations Act 2001  
Section 657E  
Interim Order

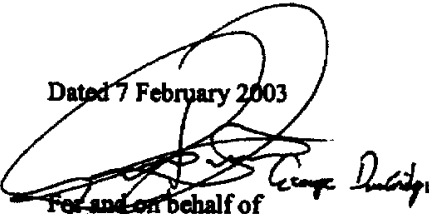
03/0121

Pursuant to section 657E of the Corporations Act, the Takeovers Panel hereby makes the following interim orders in relation to the affairs of Anaconda Nickel Limited (ANL).

- (a) Mongoose Pty Limited (MPL), a wholly owned subsidiary of MatlinPatterson Global Opportunities Partners LP, must cause an announcement to be made on the Company Announcements Platform operated by Australian Stock Exchange Limited by no later than 6.00pm (Melbourne time) on 10 February 2003 as to whether the condition (the Expert Condition) set out in section 7.6(b)(iii) of MPL's Bidder's Statement relating to its offer to acquire all of the ordinary shares in ANL has been satisfied.
- (b) The announcement must state that the Expert Condition is relevant to the offers made by MPL under both the Bidder's Statement and MPL's Rights Offer Document relating to the MPL's offer to acquire all of the renounceable rights in ANL.
- (c) If the Expert Condition has not been satisfied prior to the time that MPL makes the announcement required by paragraph (a) of this interim order, the announcement must state whether MPL waives, or will waive, as a defeating condition the satisfaction of the Expert Condition.

This interim order has effect until 13 February 2003.

Dated 7 February 2003

  
For and on behalf of  
Brett Heading  
President of the Sitting Panel



Takeovers Panel  
Corporations Act 2001  
Section 657E  
Interim Order

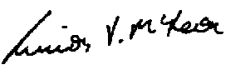
03/0122

Pursuant to section 657E of the Corporations Act, the Takeovers Panel hereby makes the following interim orders in relation to the affairs of Anaconda Nickel Limited (ANL).

- (i) That the interim order (the **Review Order**) dated 7 February 2003 which was made by the sitting Panel in the Anaconda 02 to 05 applications be affirmed. The Review Order requires that:
- (a) Mongoose Pty Limited (MPL), a wholly owned subsidiary of MatlinPatterson Global Opportunities Partners LP, must cause an announcement to be made on the Company Announcements Platform operated by Australian Stock Exchange Limited by no later than 6.00pm (Melbourne time) on 10 February 2003 as to whether the condition (the **Expert Condition**) set out in section 7.6(b)(iii) of MPL's Bidder's Statement relating to its offer to acquire all of the ordinary shares in ANL has been satisfied.
  - (b) The announcement must state that the Expert Condition is relevant to the offers made by MPL under both the Bidder's Statement and MPL's Rights Offer Document relating to the MPL's offer to acquire all of the renounceable rights in ANL.
  - (c) If the Expert Condition has not been satisfied prior to the time that MPL makes the announcement required by paragraph (a) of this interim order, the announcement must state whether MPL waives, or will waive, as a defeating condition the satisfaction of the Expert Condition.
- (ii) That the following orders be added to the Review Order as paragraphs (d) to (f):
- (d) MPL must cause an announcement to be made on the Company Announcements Platform operated by Australian Stock Exchange Limited by no later than 6.00pm (Melbourne time) on 10 February 2003 as to whether the condition (the **ASIC Relief Condition**) set out at section 7.6(b)(i) of MPL's Bidder's Statement relating to its offer to acquire all of the ordinary shares in ANL has been satisfied.
  - (e) The announcement must state that the ASIC Relief Condition is relevant to the offers made by MPL under both the Bidder's Statement and MPL's Rights Offer Document relating to the MPL's offer to acquire all of the renounceable rights in ANL.
  - (f) If the ASIC Relief Condition has not been satisfied prior to the time that MPL makes the announcement required by paragraph (a) of this interim order, the announcement must state whether MPL waives, or will waive, as a defeating condition the satisfaction of the ASIC Relief Condition.

This interim order has effect until 13 February 2003.

Dated 10 February 2003



Simon McKeon  
President of the Sitting Review Panel

Takeovers Panel  
Corporations Act 2001  
Section 657E  
Interim Order

In the matter of Anaconda Nickel Limited (No. 16)

03/0123

Pursuant to section 657E of the Corporations Act 2001, the Takeovers Panel HEREBY  
ORDERS:

- (a) Mongoose Pty Ltd (Mongoose) and Australian Investments United Pty Ltd not to vote, transfer or deal with the shares mentioned in the Schedule (the Shares); and
- (b) Anaconda Nickel Limited (Anaconda) and Computershare Investor Services Pty Ltd
  - (i) not to register a transfer of the Shares; and
  - (ii) to disregard any vote cast in respect of the Shares.

This order remains in effect until the first to occur of:

- (c) further order;
- (d) 21 April 2003;
- (e) the conclusion of these proceedings.

Schedule

Approximately 415,003,153 ordinary shares in Anaconda issued or to be issued to or at the direction of Mongoose pursuant to one or more notices of exercise of rights under the rights issue prospectus issued by Anaconda on 21 January 2003, being the number by which the number of shares in respect of which Mongoose has given Anaconda valid notices of exercise of rights exceeds 35.05% of the shares to be issued under that prospectus.

Any ordinary shares in Anaconda which have been issued to AIU at the direction of Mongoose or transferred by Mongoose to AIU at the time this order comes into force or which are so issued while this order remains in force.

Dated 21 February 2003

  
George Durbridge  
For and at the direction of Brett Heading  
President of the Sitting Panel