

Australian Securities and Investments Commission**ePayments Code – Clause 43.1 – Declaration****Purpose**

1. The Australian Securities and Investments Commission (*ASIC*) makes this instrument for the purposes of clause 43.1 of the ePayments Code as at the date of this instrument (the *Code*).

Title

2. This instrument is ASIC Instrument 12/1624.

Commencement

3. This instrument commences on the date the Bank subscribes to the Code.

Declaration

4. The Code applies to the Bank as if clause 21 of the Code were modified by omitting clause 21.2 and substituting:

“21.2 If a subscriber provides a facility designed exclusively for electronic use:

(a) the subscriber can meet its obligations under this Code by:

- (i) sending information using electronic communication, or
- (ii) using electronic communication to notify users that information is available from an electronic address, or
- (iii) if a user has not provided the subscriber with its electronic contact details, making information available from an electronic address,

if the subscriber clearly discloses that it will use this method of communication:

- (iv) in the case of (i) and (ii), before the later of the date that the subscriber subscribes to the Code and 5 business days after the user provides the subscriber with its electronic contact details, and
- (v) in the case of (iii), before the user first performs a transaction using the facility, and

(b) clause 21.1(d) does not apply.

Note: While the use of hyperlinks to give disclosures or information under this Code is not prohibited, it is discouraged as a matter of best practice.”

Where declaration applies

5. This declaration applies in relation to a Travel Money Card that was issued by the Bank to a user before the date the Bank subscribes to the Code.

Interpretation

6. In this instrument:

Bank means Commonwealth Bank of Australia ACN 123 123 124.

Travel Money Card means a prepaid card of that name issued by the Bank, the terms and conditions of which are the same as, or substantially similar to, those described in a Product Disclosure Statement for the card issued by the Bank dated 6 May 2011 as amended by a Supplementary Product Disclosure Statement issued by the Bank dated 29 October 2012.

user has the meaning given by clause 2.6 of the Code.

Dated this 22nd day of November 2012.



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Signed by Stephen Yen
as a delegate of the Australian Securities and Investments Commission