



**ASIC**

Australian Securities & Investments Commission

# Pro Forma 113

## Related parties or associates—voting

*Reissued: March 2011*

*Pro Forma 113 (PF 113) sets out the form of relief ASIC will grant to enable a related party of a public company, or the related party's associate, to vote on a proposed resolution to approve giving a financial benefit to the related party. See Regulatory Guide 76 Related party transactions (RG 76.130–RG 76.139). ASIC may give this relief only if we are satisfied that it will not cause unfair prejudice to the interests of any member of the public company.*

### **Australian Securities and Investments Commission**

### **Corporations Act 2001—subsection 224(4)—Declaration**

#### **Enabling legislation**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under subsection 224(4) of the *Corporations Act 2001 (Act)*.

#### **Title**

2. This instrument is ASIC Instrument [ / ].

### Commencement

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

### Declaration

4. Subsection 224(1) of the Act

*Either*

does not apply to

*or*

does not prevent the casting of a vote by or on behalf of the entity specified in the Schedule on

the proposed resolution of [*insert name of company and ACN*] (**company**) to be considered at the general meeting to be held no later than one month after [*insert scheduled date*] to the following effect: “[*quote the resolution*]”.

5. The declaration in paragraph 4 applies where the company includes in the explanatory statement lodged under section 218 of the Act a copy or notice of this instrument.

### Schedule

[*Specify the entity or entities that are related parties of the public company or associates of the related party.*]

Dated this ..... day of ..... 201[ ].

Signed by [*name of delegate*]

as a delegate of the Australian Securities and Investments Commission.