



ASIC

Australian Securities & Investments Commission

[PF 123] Pro Forma 123 Changing a disclosure document before making offers

Practice Note 60

Reissued 15/3/2000

Superseded version: [SPF 123]

Pro Forma 123 allows an issuer to make changes to a disclosure document which has been lodged but before any offers are made under it by the distribution of an application form.

Australian Securities and Investments Commission
Corporations Law — Subsection 741(1) — Declaration

Under subsection 741(1) of the Corporations Law (Law) the Australian Securities and Investments Commission (ASIC) hereby declares that Chapter 6D of the Law applies to all persons in relation to an offer made in or accompanied by the disclosure document specified in the Schedule A in the case referred to in Schedule B as if a reference to:

- (a) disclosure document in paragraphs 723(1)(a), 728(1)(a) and 728(1)(b) of the Law;
- (b) [prospectus in paragraph 723(1)(a) of the Law;][profile statement in paragraph 723(1)(a) of the Law (second occurring);] [*insert as required*] and
- (c) [a copy of a prospectus in subsections 721(3) and 727(2) of the Law,][a copy of a profile statement or offer information statement in subsection 727(2),][*insert as required*],

includes a reference to a document or copy of a document that differs from the disclosure document, prospectus, profile statement or offer information statement lodged with ASIC to the following extent:

[insert details of differences using paragraphs (d), (e) etc if necessary].

SCHEDULE A

[Prospectus][Profile statement][Offer information statement][*insert as required*] lodged on [*insert date on which disclosure document lodged*] by [*insert name of issuer*] to offer [*insert type of securities being offered by the disclosure document*] in [*insert details of issuer*].

SCHEDULE B

All offers made in or accompanied by the disclosure document where:

- (a) no application form is attached to the disclosure document lodged with ASIC;
- (b) no application form has been distributed with the disclosure document or a copy of the disclosure document prior to the date of this instrument; and
- (c) any application form accompanying the disclosure document or a copy of the disclosure document on or after the date of this instrument discloses the difference between the disclosure document and the disclosure document lodged with ASIC.

Dated this [] day of [] 200[].

Signed by []
as a delegate of the Australian Securities and Investments Commission