

**ADMINISTRATIVE APPEALS TRIBUNAL** )  
) No. 2007/5838  
**GENERAL ADMINISTRATIVE DIVISION** )

**Re: VLDP**

**Applicant**

**And: AUSTRALIAN SECURITIES AND INVESTMENTS  
COMMISSION**

**Respondent**

Tribunal: Deputy President S A Forgie

Place: Melbourne

Date: 29 November 2007

### **ORDER and DIRECTION**

UPON APPLICATION of the applicant lodged on 29 November 2007 for review of a decision of the respondent dated 23 November 2007 and given to the applicant on 29 November 2007 the Tribunal:

1. orders that the operation and implementation of the respondent's decision dated 23 November 2007 (including but not limited to the publication of its decision in the Gazette under ss 920E(2) and 915F(2) and entering it in the Register maintained under s 922F of the *Corporations Act 2001* and regulations thereunder) be stayed until close of business on 6 December 2007; and
2. directs that, until further order:
  - (1) the applicant be described by the letters "VLDP" for the purpose of the application;
  - (2) except as provided in paragraph 3 of this Order and Direction, publication of the name of the applicant and of any material tending to identify it be restricted to members and staff of the Tribunal, the parties and their representatives and professional advisers and staff of Auscript;
  - (3) publication of the evidence given before the Tribunal and of matters contained in documents lodged with the Tribunal be restricted to members and staff of the Tribunal, the parties and their representatives and professional advisers and staff of Auscript; and

- (3) all hearing shall be held in private; and
3. the respondent:
  - (1) by 8.00 pm on Thursday 29 November 2007, publish through its Media Distribution List and post on each website on which it gave notice of its to each person to whom it gave notice of its decision of 23 November 2007, a further notice setting out the terms of this Order and Direction; and
  - (2) by 10.00am on Friday 30 November 2007, remove any reference to the name of the applicant from the Press Release it published on Thursday, 29 November 2007 on its website in relation to the applicant; and
4. liberty to either party to apply.

S.A. Forgie (sgd)

**S A FORGIE**  
**Deputy President**