



Australian Market Licence (Asia Pacific Stock Exchange Limited) Variation Notice 2016 (No. 1)

Corporations Act 2001

I, KELLY O'DWYER, Minister for Small Business and Assistant Treasurer, make this Variation under section 796A and 797A of the *Corporations Act 2001* (the Act).

Dated 15/2/16

Minister for Small Business and Assistant Treasurer

1. Name of variation

This Variation is the *Australian Market Licence (Asia Pacific Stock Exchange Limited) Variation Notice 2016 (No. 1)*.

2. Commencement

This Variation commences on the day it is published in the *Gazette*.

3. Variation

The *Australian Market Licence (Asia Pacific Stock Exchange Limited) 2004* (as varied by *Australian Market Licence (Australia Pacific Exchange Limited) Variation Notice 2009 (No. 1)*, *Australian Market Licence (Asia Pacific Exchange Limited) Variation Notice 2010 (No. 1)*, *Australian Market Licence (Asia Pacific Exchange Limited) Variation Notice 2013 (No. 1)* and *Australian Market Licence (Asia Pacific Exchange Limited) Variation Notice 2014 (No. 1)*) is varied as described in the Schedule.

Schedule

Variation

(Section 3)

[1] **Section 1**

omit the section, substitute

1 Name of Licence

This Licence is the *Australian Market Licence (Sydney Stock Exchange Limited) 2004*.

[2] **Section 3**

omit the definition

APX means Asia Pacific Stock Exchange Limited (ACN 080 399 220).

[3] **Section 3**

insert a new definition after "cash flow positive"

CS facility licensee has the meaning given by section 761A of the Act.

[4] **Section 3**

insert a new definition after "fidelity fund"

licensed CS facility has the meaning given by section 761A of the Act.

[5] **Section 3**

insert a new definition after "Service Provider"

Sydney Stock Exchange means Sydney Stock Exchange Limited (ACN 080 399 220).

[6] **Sections 3 – 14**

omit "APX" wherever occurring, substitute

Sydney Stock Exchange

[7] **Section 6**

insert

6 omitted with effect from 23 June 2010.

[8] **Section 7**

omit the section, substitute

7 Clearing and settlement arrangements

- (1) Sydney Stock Exchange must have operating rules that specify how transactions effected through the market will be cleared and settled.
- (2) For transactions effected through the market that will be cleared and settled through a licensed CS facility, Sydney Stock Exchange must have clearing and settlement arrangements with:
 - (a) ASX Clear Pty Limited (ACN 001 314 503) and ASX Settlement Pty Limited (ACN 008 504 532); or
 - (b) any other CS facility licensee approved for the purpose by the Minister.
- (3) For each transaction effected through the market that will not be cleared and settled through a licensed CS facility, Sydney Stock Exchange must:
 - (a) notify each party to the transaction of the identity of the other party to the transaction; and
 - (b) have operating rules that provide for the transaction to be settled by the parties to the transaction.
- (4) Each time the clearing and settlement arrangements for transactions effected through the market change, and before any orders which may result in transactions subject to the changed arrangements are accepted by the market, Sydney Stock Exchange must:
 - (a) notify each participant, in writing, of the changed clearing and settlement arrangements; and
 - (b) take reasonable steps to ensure each participant immediately notifies each client of the participant, in writing, of the changed clearing and settlement arrangements.

[9] Section 10

insert

10 omitted with effect from 22 April 2013.

[10] Section 11

insert

11 omitted with effect from 23 June 2010.

