



Corporations (360 Treasury Systems AG) Exemption Notice Variation 2016 (No. 1)

Corporations Act 2001

I, Greg Yanco, Senior Executive Leader, Australian Securities and Investments Commission make this notice under section 791C of the *Corporations Act 2001* (the Act).

Dated 2/5/16

Signed 

as a delegate of the Minister under s1101J of the Act

1. Name of notice

This notice is the *Corporations (360 Treasury Systems AG) Exemption Notice Variation 2016 (No.1)*.

2. Commencement

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

3. Variation

The *Corporations (360 Treasury Systems AG) Exemption Notice 2012* is varied as described in the Schedule to this notice.

Schedule

Variation

(Section 3)

- [1] **Section 5 – Operation of the market, paragraph (a)**
omit "application for exemption", substitute "Applications"
- [2] **Section 7 – definition of 'application for exemption'**
omit the definition of 'application for exemption' and substitute the following
Applications mean:
(a) The application dated 26 November 2012 (including any supplementary correspondence provided by 360T to ASIC prior to the issuing of the exemption notice relating to the exemption application) for an exemption from the operation of Part 7.2 of the Act of the financial market operated by 360T; and
(b) The application dated 18 February 2016 (including any supplementary correspondence provided by 360T to ASIC prior to the issuing of the variation notice relating to the exemption variation application) to vary the exemption from the operation of Part 7.2 of the Act.
- [3] **Section 7 – definition of 'eligible financial product', after paragraph (d)**
insert
(e) a repo agreement;
(f) an eligible repo agreement product.
- [4] **Section 7 – definition of 'eligible repo agreement product', after definition of 'eligible financial product'**
insert
eligible repo agreement product means a financial product of the following kinds only as it may be bought and sold under a repo agreement:
(a) shares;
(b) debentures;
(c) a debenture, stock or bond issued or proposed to be issued by a government;
(d) interests in managed investment schemes.
- [5] **Section 7 - definition of 'Repo agreement', after definition of 'participant'**
insert

Repo agreement means a repurchase agreement or sell/buy-back agreement, in relation to an eligible repo agreement product or a financial product of the kind referred to in (d) of the definition of eligible financial product in subparagraph 7(b), the terms of which are documented in an agreement between the parties that is substantially in the form of a commonly used master agreement, such as a master agreement published:

- (a) by the International Swaps and Derivatives Association Inc.; or
- (b) jointly by the Securities Industry and Financial Markets Association and the International Capital Market Association.