From:
To:
Cc:
s 22

Subject: RE: Phoenixing - Offence - Further feedback on the Drafting Instructions [DLM=Sensitive:Legal]
Date: Monday, 18 June 2018 6:55:58 PM
Attachments: TSY45.445 Phoenixing DIs - Phoenixing Offence.docx

---

Hi s 22,
You will have seen the full package of DIs that s 22 provided last week in relation to the phoenixing reforms.
I have attached, for your convenience, the DIs relating specifically to the phoenixing offence. We very much welcome your further feedback on these DIs and are more than happy to have a discussion, once you've had a chance to digest them. In particular, we welcome your further views on:

s 22

s 42, s 47C, s 47E (d)

Happy to discuss, and please let us know if you would like to have a call (I am available Wednesday this week, otherwise we could aim to arrange something for early next week).
Kind Regards and many thanks,

s 22
Senior Adviser
Corporations Policy
The Treasury
Level 5, 100 Market Street
SYDNEY 2000

s 22

From: s 22 @asic.gov.au]
Sent: Thursday, 14 June 2018 10:23 AM

s 22

Subject: RE: Phoenixing - Director Resignations + Related Creditor Voting - Final Drafting Instructions [DLM=Sensitive:Legal]
Thank you s 22

We'll have a look and let you know asap if we have any major issues.

s 22

s 22 | Acting Chief Legal Officer | ASIC s 22
s 22

s 22

Date: 13/06/2018 04:05 PM
Subject: RE: Phoenixing - Director Resignations + Related Creditor Voting - Final Drafting Instructions [DLM=Sensitive:Legal]

Hi s 22

Thank you again for your feedback on the DIs for the illegal phoenixing reforms.

Please find **attached**, for your reference, the finalised DIs, which have been sent to OPC.

s 22

If you identify any major issues or concerns, please let us know and we are happy to have a discussion with you on these. We will also be sharing the DIs for the phoenix offence with you, once finalised, and an early draft of the legislation, once available.

Please feel free to call if you have any queries or wish to discuss.

Kind Regards,

s 22
Senior Adviser
Corporations Policy
The Treasury
Level 5, 100 Market Street
SYDNEY 2000

s 22

From: s 22
Sent: Thursday, 7 June 2018 5:49 PM

s 22

Subject: RE: Phoenixing - Director Resignations - Drafting Instructions [DLM=Sensitive:Legal]

s 22

Thanks for sending these - I think this is the last set of comments we owe you, and they're set out below. As for the other related initiatives, we're very grateful for the opportunity to comment.

s 22

s 22

Kind regards

s 22 Acting Chief Legal Officer | ASIC s 22

s 22

Date: 31/05/2018 05:05 PM
Subject: RE: Phoenixing - Director Resignations - Drafting Instructions [DLM=Sensitive:Legal]

Hs 22

Please find attached the drafting instructions for the director resignation measure. As s 22 mentioned yesterday, we are now aiming to finalise DIs for the entire package next week so we would appreciate any comments early next week.

s 22

s 22

Please feel free to give me a call to discuss.

Cheers

s 22

Legislative Adviser
The Treasury

s 22

From: s 22
Sent: Monday, 28 May 2018 10:22 AM

s 22

Subject: RE: Phoenixing - Related Creditor Voting Rights - Drafting Instructions [DLM=Sensitive:Legal]

Thanks s 22, will do.

s 22 Acting Chief Legal Officer | ASIC |Tel: s 22

s 22

Date: 25/05/2018 04:12 PM
Subject: RE: Phoenixing - Related Creditor Voting Rights - Drafting Instructions [DLM=Sensitive:Legal]

Hi s 22

As this stage, the timing constraints are more pressing for the other elements of the package so we are prioritising them. I suggest we discuss timing in more detail as we progress the phoenixing offence measure.

That said, if we can progress these and get them out of the way, that will free up time later for the other measures.

Cheers
s 22

From: s 22 [redacted]
Sent: Friday, 25 May 2018 3:40 PM
s 22 [redacted]
Subject: Re: Phoenixing - Related Creditor Voting Rights - Drafting Instructions [DLM=Sensitive:Legal]

Thank you s 22 [redacted]

Could you me when you would like to receive ASIC's comments on these?

Kind regards
s 22 [redacted]

s 22 [redacted] | Acting Chief Legal Officer | ASIC s 22 [redacted] | [redacted]

s 22 [redacted]

Date: 25/05/2018 12:44 PM
Subject: Phoenixing - Related Creditor Voting Rights - Drafting Instructions [DLM=Sensitive:Legal]

Hi s 22 [redacted]

As mentioned yesterday, please find attached for your comments the drafting instructions for the measure to restrict related creditor voting rights.

Please feel free to give me a call if there is anything you would like to discuss.

Cheers
s 22 [redacted] _____

Legislative Adviser
The Treasury

s 22 [redacted]

s 22

[redacted]