

# **ASIC Class Order [CO 00/2449]**

## **ASX Electronic Lodgment Facility — relief from paper form lodgment**

This instrument has effect under subsections 341(1), 655A(1), 669(1) and 673(1) of the *Corporations Act 2001*.

This compilation was prepared on 4 October 2005 taking into account amendments up to [CO 02/267].

Prepared by the Australian Securities and Investments Commission.

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### **Australian Securities and Investments Commission Corporations Act 2001 — Subsections 341(1), 655A(1), 669(1) and 673(1) — Exemption**

Pursuant to subsections 341(1), 655A(1), 669(1) and 673(1) of the *Corporations Act 2001* (the “Act”), the Australian Securities and Investments Commission (ASIC) hereby exempts, with effect from 1 January 2001, each person in the class of persons mentioned in Schedule A from each of the provisions mentioned in Schedule B, but only to the extent specified in that Schedule, on the conditions set out in Schedule C and for so long as those conditions are met.

#### **SCHEDULE A — PERSONS EXEMPTED**

Bodies which are included in the official list of Australian Stock Exchange Limited (ASX) and wholly-owned subsidiaries of such bodies.

#### **SCHEDULE B — PROVISIONS AFFECTED**

A body to which this exemption applies is exempted from each of the following provisions of the Act:

- (a) subsection 323DA(1);
- (b) section 630;
- (c) steps 5, 8 and 14 of subsection 633(1);
- (d) paragraph 633(4)(a);
- (e) subsections 633(5), (6) and (7);
- (f) steps 2, 3, 8 and 10 of section 635;
- (g) paragraph 647(3)(b);
- (h) subsection 648E(2);

- (i) section 649C;
- (j) subsection 650F(3);
- (k) subsection 652C(3);
- (l) paragraph 661B(1)(d);
- (m) paragraph 662B(1)(d);
- (n) paragraph 663B(1)(d);
- (o) paragraph 664C(2)(d);
- (p) paragraph 664E(3)(d);
- (q) paragraph 665B(1)(e);
- (r) subsection 671B(1); and
- (s) subsection 671B(4).

but only to the extent, in each case, that such provision may require a document containing information which is required to be given or sent to ASX in its capacity as a market operator (Document) to be in paper form and may prevent that Document from being so given or sent by way of an electronic copy of it (electronic copy) through the Electronic Lodgment Facility.

#### SCHEDULE C — CONDITIONS

1. Except as permitted by this exemption, the body must comply with each of the provisions mentioned in Schedule B as applicable.
2. The body must retain a paper original of the electronic copy (paper copy) for a period of not less than 7 years from the date upon which the electronic copy is given or sent to ASX, and must make that paper copy available to ASIC or ASX upon request.
3. Where the Document is required by the Act to be signed, the paper copy is signed in accordance with the Act.
4. The electronic copy must be a substantially faithful copy of the paper copy, but for the fact that it may differ from the paper copy by the absence from the electronic copy of any original signature.
5. At the time when the body gives or sends the electronic copy to ASX it is listed on ASX or is a wholly-owned subsidiary of a body that is listed on ASX.
6. The body complies with the security features of the Electronic Lodgment Facility set out in Schedule D and any other procedures

issued by ASX from time to time to facilitate bodies using the Electronic Lodgment Facility.

## SCHEDULE D — SECURITY FEATURES

A body giving or sending a Document to ASX through the Electronic Lodgment Facility must comply with the following requirements:

### 1. *Document format and file size*

- (a) The Document must be in PDF format using Adobe Acrobat version 3.0 or later.
- (b) All pages must be A4 in size.
- (c) The Document must be in 200 DPI or 300 DPI (dots per inch) for clarity.
- (d) The maximum file size is 20Mb.

### 2. *User name and password*

To enter the ASX system that gives access to the Electronic Lodgment Facility, the following two items must be entered by the body:

- (a) a user name recognised by ASX; and
- (b) a password, which must contain at least eight characters.

The password will be updated every 45 days.

### 3. *PIN*

To access the Electronic Lodgment Facility, an eight-digit PIN number must be entered. The PIN for a body will be issued by ASX. It is the responsibility of the company secretary of that body to ensure that the PIN is disclosed only to officers authorised to send announcements to ASX. At the request of the company secretary or when an authorised officer leaves the body, a new PIN will be issued. Where a wholly-owned subsidiary of a body to which a PIN has been issued is to give or send a Document to ASX through the Electronic Lodgment Facility, the subsidiary must provide the body with the Document. The body to which a PIN has been issued must use its PIN to submit the Document.

### 4. *Encryption*

The Document submitted for lodgment by the body must be encrypted either by 56 bit or 128 bit encryption, depending on the capability of the browser used by the body.

## **Interpretation**

In this instrument “Electronic Lodgment Facility” means the facility, which enables bodies listed on ASX to transmit Documents to ASX electronically, which is available at [www.asx.com/online/announcements](http://www.asx.com/online/announcements), or such other address as may be notified by ASX from time to time.

## Notes to ASIC Class Order [CO 00/2449]

### Note 1

ASIC Class Order [CO 00/2449] (in force under subsections 341(1), 655A(1), 669(1) and 673(1) of the *Corporations Act 2001*) as shown in this compilation comprises that Class Order amended as indicated in the Tables below.

### Table of Instruments

<b>Instrument number</b>	<b>Date of making or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
[CO 00/2449]	22/12/2000	22/12/2000	-
[CO 02/267]	4/3/2002	11/3/2002	-

### Table of Amendments

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
Class order	am. [CO 02/267]