

ASIC Class Order [CO 08/753]

Variation of Class Order [CO 08/751]

Issued 22/9/2008

Registered on Federal Register of Legislative Instruments 22/9/2008

Effective 22/9/2008 (date of registration)

*Related documents: [MR 08/204], [MR 08/205], [RG 196],
[AD 08/20]*

Class Order [CO 08/753] varies Class Order [CO 08/751] to correct a drafting anomaly. The variation ensures that the prohibition in s1020BD applies in relation to managed investment products and stapled securities.

This instrument has effect under s1020F(1)(c) of the *Corporations Act 2001*.

Prepared by the Australian Securities and Investments Commission.

Australian Securities and Investments Commission Corporations Act 2001 — Paragraph 1020F(1)(c) — Variation

Enabling legislation

1. The Australian Securities and Investments Commission makes this instrument under paragraph 1020F(1)(c) of the *Corporations Act 2001* (the *Act*).

Title

2. This instrument is ASIC Class Order [CO 08/753].

Commencement

3. This instrument commences on the date it is registered under the *Legislative Instruments Act 2003*.

Note: An instrument is registered when it is recorded on the Federal Register of Legislative Instruments (*FRLI*) in electronic form: see *Legislative Instruments Act 2003*, s 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

Variation

4. Notional section 1020BD of the Act as set out in paragraph 4 of ASIC Class Order [CO 08/751] is varied as follows:
 - (a) in subsection (1):
 - (i) after “security” (first occurring), insert “or managed

investment product”;

(ii) omit “securities” (first occurring), substitute “financial products”;

(iii) after “security” (second occurring), insert “or product”;

(b) in subsection (2) after “security”, insert “or product”;

(c) in subsection (3) before the definition of *Market Maker*, insert:

“*able to be traded* includes (in addition to the meaning given by section 761A), in relation to a security or managed investment product and a market, traded on the market under terms by which the security or product must be transferred together with one or more other financial products.”.

Dated this 22nd day of September 2008

Signed by Anthony D’Aloisio
as a delegate of the Australian Securities and Investments
Commission