



# **ASX SETTLEMENT OPERATING RULES PROCEDURES**

ASX Settlement  
ABN 49 008 504 532  
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Sydney NSW 2000 Australia

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# SECTION 1

## PROCEDURE 1.10.1 METHODS OF GIVING NOTICE IN WRITING

Unless otherwise specified in correspondence with a Facility User, documents addressed to ASX Settlement should be addressed to:

General Manager, Clearing and Settlement

ASX Settlement Pty Ltd  
Level 4, Exchange Centre  
20 Bridge Street  
SYDNEY NSW 2000

Telephone: 1800 814 051  
Facsimile: 02 9227 0265

Notice to ASX Settlement may be given by:

1. Delivering it personally to the person specified above or otherwise specified in correspondence with the Facility User;
2. Leaving it at or by sending it by courier or post to the address specified above or otherwise specified in correspondence with the Facility User;
3. Sending it by facsimile to the facsimile number specified above or otherwise specified in correspondence with the Facility User;
4. Updating the Facility User's corporate details on asxonline where applicable, unless otherwise directed by ASX Settlement;
5. Submitting it via the web-based system interface known as ASX Compliance Monitor ("ACM") where applicable, unless otherwise directed by ASX Settlement; or
6. Specific email by any method which identifies an ASX Settlement department or an ASX Settlement employee's name or title as addressee and no notice of non-delivery has been received.

ASX Settlement may give notice to any person, firm or corporation by any of the following methods:

1. Delivering it to the recipient personally;
2. Leaving it at, or by sending it by courier or post to, the address of the recipient last notified to ASX Settlement;
3. Sending it by facsimile to the recipient's facsimile number last notified to ASX Settlement;
4. A circular or bulletin addressed to a class of persons and delivered or communicated by any means permitted under this Procedure;
5. Specific email by any method which identifies a person or person's title as addressee and no notice of non-delivery has been received;

6. Broadcast email by any method which identifies the addressee and which, having regard to all relevant circumstances at the time, was reliable as appropriate for the purposes for which the information was communicated; or
7. Sending it via the web-based system interface known as ACM.

Introduced 09/07/08 Amended 02/02/09, 19/02/10

## **PROCEDURE 1.10.2 DELIVERY OF NOTICE**

Notice by:

1. Post is taken to be given on the second Business Day after the document is put in the post, in a stamped envelope or other covering addressed to the recipient;
2. Courier is taken to be given at the time of delivery to the address referred to in Procedure 1.10.1;
3. Facsimile is taken to be given when the sender's facsimile machine indicates a successful transmission to the facsimile number referred to in Procedure 1.10.1;
4. Email, under Procedure 1.10.1 is taken to be given 2 hours after the time the email enters the recipient's information system, unless a response to the contrary is received (e.g. an out of office notification); and
5. The web-based system interface known as ACM is taken to be given at the time which that system records the transmission.

For the purposes of the Rules, a notice given in accordance with Procedure 1.10.1 to a person is taken to be received by that person at the time it is given to that person under this Procedure 1.10.2.

Introduced 11/03/04 Amended 09/07/08, 02/02/09

## SECTION 2 DEFINITIONS AND INTERPRETATION

“Approved Clearing Facility” – ASX Settlement has approved ASX Clear Pty Limited as an Approved Clearing Facility.

“Approved Market Operator” – ASX Settlement has approved the market licensees listed below as Approved Market Operators in relation to the following services and for the purpose of the rules and procedures pertaining to those services:

Clearing and Settlement Arrangements (including Trade Acceptance Service)	Settlement Facilitation Service		ASX Primary Market Facility <sup>1</sup>
	Transfer Facilitation Service	DvP Facilitation Service	
<ol style="list-style-type: none"> <li>1. ASX Limited</li> <li>2. Chi-X Australia Pty Limited</li> </ol>	<ol style="list-style-type: none"> <li>1. National Stock Exchange of Australia Limited</li> <li>2. Asia Pacific Exchange Limited</li> <li>3. SIM Venture Securities Exchange Limited</li> </ol>	<ol style="list-style-type: none"> <li>1. National Stock Exchange of Australia Limited</li> <li>2. Asia Pacific Exchange Limited</li> <li>3. SIM Venture Securities Exchange Limited</li> </ol>	<ol style="list-style-type: none"> <li>1. National Stock Exchange of Australia Limited</li> <li>2. Asia Pacific Exchange Limited</li> <li>3. SIM Venture Securities Exchange Limited</li> </ol>

<sup>1</sup> The ASX Primary Market Facility includes the provision by ASX Settlement of settlement services to Participants and Issuers of Approved Financial Products quoted on or approved for quotation by the market licensee in connection with the processing of Allocation Components of Offers of such financial products and the processing of Allocation Interests in DvP Settlement under Section 15 of the ASX Settlement Operating Rules.

Introduced 23/09/05 Amended 20/07/07, 27/06/11, 15/08/11, 28/12/11

“Email Purpose” – The categories of communications that a Holder may indicate a preference to receive by delivery to an email address are:

- (a) ASX Settlement communications only;
- (b) Issuer communications only; or
- (c) ASX Settlement and Issuer communications.

Introduced 02/11/09

## **SECTION 4      ADMISSION OF OTHER SETTLEMENT PARTICIPANTS**

### **PROCEDURE 4.2.1      APPLICATION FOR ADMISSION AS A PARTICIPANT**

An application will comply with the Procedures if the application:

- (a) is on the Admission Form published by ASX Settlement;
- (b) is accompanied by any application fee specified in the Fees and Charges Schedule;
- (c) contains a covenant by the applicant that, if the application is accepted, the applicant undertakes to ASX Settlement to observe and comply with the provisions of these Rules that purport to apply in relation to it;
- (d) contains all the information required by the Admission Form; and
- (e) is executed by or on behalf of the applicant or, if the applicant consists of two or more partners or trustees, by or on behalf of each partner or trustee, as the case requires.

Introduced 11/03/04

### **PROCEDURE 4.7      TECHNICAL AND PERFORMANCE REQUIREMENTS**

The technical and performance requirements are that, to the reasonable satisfaction of ASX Settlement:

- (a) as shown by Pre-commencement Testing, the person has the capacity to communicate reliably with CHESS in accordance with the EIS;
- (b) the person has such accounting, settlement, recording and reporting systems as are necessary for the purposes of the person's existing and anticipated operations; and
- (c) the person employs or retains such personnel familiar with the Rules and the Procedures as are necessary to allow the person to generate, receive and process Messages in accordance with the Rules and the Procedures;
- (d) the person has the necessary organisational and technical resources to ensure that messages submitted to ASX Settlement by the Participant do not interfere with the efficiency, integrity or proper function of the Settlement Facility;
- (e) the person observes and gives effect to any advice or directions given by ASX Settlement to it in order to ensure that the person meets or continues to meet the requirements of paragraphs (a) to (d); and
- (f) the person has appointed a person to be responsible for communication with ASX Settlement in connection with CHESS and has communicated the name of that person to ASX Settlement, both upon admission to participation and where there are any subsequent changes made.

Introduced 11/03/04

## **PROCEDURE 4.8 PERFORMANCE BONDS**

A Settlement Bond and a Sponsorship Bond must be in a form approved by ASX Settlement and issued by:

- (a) an Australian bank;
- (b) an insurance company registered with the Commission under the Life Insurance Act 1945;
- (c) an insurance company authorised to carry on insurance business under the Insurance Act 1973,

other than the Participant or a subsidiary of the Participant.

Introduced 11/03/04

## **PROCEDURE 4.9.1 SETTLEMENT PARTICIPANT TO LODGE SETTLEMENT BOND**

For the purpose of Rule 4.9.1(d), ASX Limited (being an Approved Market Operator) is specified.

Introduced 27/06/11

## **PROCEDURE 4.9.3 SPONSORING PARTICIPANT TO LODGE SPONSORSHIP BOND**

For the purpose of Rule 4.9.3 the following are the specified compensation arrangements:

- (a) the National Guarantee Fund compensation regime under Division 4 of Part 7.5 of the Corporations Act and Corporations Regulations.

Introduced 23/09/05

## **PROCEDURE 4.10 CAPACITY REQUIREMENTS – [Deleted]**

Introduced 11/03/04 Deleted 03/02/06

## **PROCEDURE 4.11 BUSINESS INTEGRITY REQUIREMENTS – [Deleted]**

Introduced 11/03/04 Deleted 03/02/06

## **PROCEDURE 4.12.1 LOCAL ESTABLISHMENT REQUIREMENTS – [Deleted]**

Introduced 11/03/04 Deleted 03/02/06

## **PROCEDURE 4.18.1 APPLICANT TO MEET MANAGEMENT REQUIREMENTS**

ASX Settlement prescribes the following standards for the purpose of the Rule:

- a) Australian Standard on Compliance (AS 3806 2006);
- b) Australian / NZ ISO Risk Management – Principles and guidelines (AS/NZS ISO 31000:2009);

- c) Australian / NZS – Business Continuity – Managing disruption-related risk (AS/NZS 5050:2010);
- d) Australian Standard on Customer Satisfaction (AS ISO 10002-2006); and
- e) ASIC Regulatory Guide 104 and ASIC Regulatory Guide 105.

Introduced 01/01/12

## **SECTION 5      RIGHTS AND OBLIGATIONS OF ISSUERS**

### **PROCEDURE 5.19.1    PROVISION OF APPLICATION FORMS**

The application form made available by an Issuer must make provision for the applicant to:

- (a)      instruct the Issuer on which Subregister the applicant wishes to hold the Financial Products; and
- (b)      if the applicant is a Participant or a Participant Sponsored Holder, advise the Issuer of a HIN for that applicant.

Introduced 11/03/04

### **PROCEDURE 5.19.2    INFORMATION ON APPLICATION FORMS**

The details to be included in an entitlement and acceptance form by an Issuer are:

- (a)      a notation to denote on which Subregister the Parent Financial Products are held;
- (b)      a unique reference number to identify the entitlement and acceptance form;
- (c)      if the Parent Financial Products are held on:
  - (i)      an Issuer Operated Subregister, the Securityholder Reference Number of the Holder; or
  - (ii)     the CHESS Subregister, the HIN for the Holder; and
- (d)      a warning in a prominent place to the following effect:
  - (i)      that the rights referred to in the entitlement and acceptance form may be transferred electronically in CHESS without surrendering the entitlement and acceptance form; and
  - (ii)     that the entitlement and acceptance form should not be relied upon as evidence of the current Entitlement of the person named in the entitlement and acceptance form.

Introduced 11/03/04

### **PROCEDURE 5.22.1    CORPORATE ACTIONS – CHANGES TO HOLDINGS – [Deleted]**

Introduced 11/03/04 Deleted 03/02/06

### **PROCEDURE 5.23.1    REVIEW OF REGISTRY FUNCTIONS**

For the purposes of Rule 5.23.1(b), the audit of registry functions is required to assess whether the registry has maintained effective control procedures in relation to:

- (a) the registry operation's information processing facilities and integrity, including:
  - (i) maintenance of security and confidentiality over the data of security holders, including non-disclosure of SRNs and HINs;
  - (ii) security over the physical operation of the registry operation;
  - (iii) registry system backup and disaster recovery procedures; and
  - (iv) registry system access controls; and
- (b) the integrity and accuracy of information generated by the registry operation , including:
  - (i) internal controls over data input and output by the registry; and
  - (ii) processing and reporting of transaction data, including compliance with ASX Settlement message response time.

Introduced 18/12/06

#### **PROCEDURE 5.25.1 ISSUER REPORTING TO SPONSORED HOLDINGS**

An Issuer which is a Principal Issuer who has appointed CHESS Depository Nominees as its Depository Nominee must include the following statement on the front of a Holding Statement sent to an Issuer Sponsored Holder:

To obtain a copy of CHESS Depository Nominee's Financial Services Guide, go to [www.asx.com.au/CDIs](http://www.asx.com.au/CDIs) or phone 1300 300 279 if you would like one sent to you by mail.

Introduced 10/06/04

## **SECTION 6**

### **PROCEDURE 6.3.4 SETTLEMENT AND ACCUMULATION ACCOUNTS**

A Settlement Participant which is a Clearing Participant must establish both a Settlement Account and an Accumulation Account.

All other Settlement Participants need not establish both a Settlement Account and Accumulation Account but may do so if they wish to.

Introduced 11/03/04

### **PROCEDURE 6.8A.2 IDENTITY OF CLIENT IN A SECURITIES LENDING TRANSACTION**

A Participant must disclose required information to ASX Settlement in writing or as otherwise directed by ASX Settlement.

Introduced 02/11/09

### **PROCEDURE 6.8A.4 REGISTERING AS A SECURITIES LENDING PARTICIPANT**

A Participant must inform ASX Settlement via ASX Online or as otherwise directed by ASX Settlement.

Introduced 14/12/09

### **PROCEDURE 6.8A.5 REPORTING OF SECURITIES LENDING ACTIVITY**

A Securities Lending Participant must advise ASX Settlement via ASX Online or as otherwise directed by ASX Settlement:

- (a) by 9.00am on each Business Day, of its Securities On Loan Position, for each class of Approved Financial Products, as at close of business (in each place of business of the Participant and its Related Bodies Corporate) two Business Days prior;
- (b) by 9.00am on each Business Day, of its Securities Borrowed Position, for each class of Approved Financial Products, as at close of business (in each place of business of the Participant and its Related Bodies Corporate) two Business Days prior; and
- (c) by 9.00am on the third Business Day of each Quarter, of its Securities Committed Position for each class of Approved Financial Products, as at close of business (in each place of business of the Participant and its Related Bodies Corporate) on the last Business day of the previous Quarter,

unless its Securities On Loan Position, Securities Borrowed Position or Securities Committed Position (as applicable) is equal to zero.

In this Procedure 6.8A.5, “Quarter” means each calendar quarter ending 31 March, 30 June, 30 September and 31 December.

Introduced 14/12/09

## **SECTION 8      APPROVAL OF ISSUERS AND FINANCIAL PRODUCTS**

### **PROCEDURE 8.1.1**

Persons must submit a copy of an executed Appendix 1A, 1B or 1C of the ASX Listing Rules or Appendix 10.3.3 or 10A.3.3 of the ASX Operating Rules Procedures, as well as a prospectus or Product Disclosure Statement, to create a CHESS sub register.

Introduced 11/03/04 Amended 23/09/05, 30/03/09

### **PROCEDURE 8.1.2**

An application form for a person to act as an Issuer in relation to a class of Financial Products which is not to be quoted on the market of an Approved Listing Market Operator, and to have that class of Financial Products Approved, is to be completed in the form which is available from ASX Settlement.

Introduced 11/03/04 Amended 15/10/04, 27/06/11

### **PROCEDURE 8.7.2      ESTABLISHING A HOLDER RECORD**

The matters to be specified in the Message from the Participant to ASX Settlement requesting the establishment of a Holder Record are:

- (a) the Participant's PID;
- (b) a Holder Type;
- (c) a Residency Indicator; and
- (d) in the case of a Clearing Account, a designation to identify that Clearing Account as either:
  - (i) a Settlement Account; or
  - (ii) for a Clearing Participant, an Accumulation Account, and
- (e) where the Clearing Account is to be used for the purposes of Foreign to Foreign Allocations, a Residency Indicator of "F".

Introduced 11/03/04

### **PROCEDURE 8.15.7      ACTION FOLLOWING THE APPLICATION OF A HOLDING LOCK**

The Notice to be given by ASX Settlement is a Notice:

- (a) notifying the Controlling Participant that the Holding Lock has been applied; and
- (b) to:
  - (i) if an Issuer requested the Holding Lock to be applied, that Issuer;

- (ii) if the Locked Holding is a Participant Sponsored Holding, the Holder;
- (iii) if some or all of the Financial Products in the Locked Holding are reserved in a Subposition, the Participant in whose favour the Financial Products are reserved; and
- (iv) the Exchange.

Introduced 11/03/04

#### **PROCEDURE 8.15.14 APPLICATION OF HOLDING LOCK FOR THE PURPOSES OF FREEZING ASSETS**

The relevant legislation and regulations are:

- (a) Charter of the United Nations Act (Cth) 1945
- (b) Charter of the United Nations (Sanctions – Afghanistan) Regulations (Cth) 2001
- (c) Charter of the United Nations (Terrorism and Dealings with Assets) Regulations (Cth) 2002

Introduced 11/03/04

#### **PROCEDURE 8.15.15 APPLICATION OF HOLDING LOCK BY ASX SETTLEMENT FOR THE PURPOSE OF FREEZING ASSETS**

The relevant legislation and regulations are:

- (a) Charter of the United Nations Act (Cth) 1945
- (b) Charter of the United Nations (Sanctions – Afghanistan) Regulations (Cth) 2001
- (c) Charter of the United Nations (Terrorism and Dealings with Assets) Regulations (Cth) 2002

Introduced 09/05/06

#### **PROCEDURE 8.16.4 ACTION FOLLOWING THE REMOVAL OF A HOLDING LOCK OR A HOLDER RECORD LOCK**

The Notice to be given by ASX Settlement is a Notice:

- (a) notifying the Controlling Participant that the Holding Lock or Holder Record Lock has been removed; and
- (b) of the removal to:
  - (i) the relevant Issuer(s);
  - (ii) if the Holding is a Participant Sponsored Holding, the Holder;
  - (iii) if some or all of the Financial Products in the Locked Holding are reserved in a Subposition, the Participant in whose favour the Financial Products are reserved; and
  - (iv) the Exchange.

Introduced 11/03/04

## **PROCEDURE 8.18.2 CHANGE OF HOLDER RECORD DETAILS**

The action to be taken by a Participant where there is a change to Registration Details recorded in a Holder Record is as follows:

- (a) the Participant must Transmit a Valid Originating Message that specified the existing HIN for the Holder Record and the New Registration Details;
- (b) the Controlling Participant must maintain documentation to verify that the Registration Details relating to the change are noted in the Valid Originating Message, are correct and authorised by the client;
- (c) on receipt of notification from ASX Settlement that the change to the Registration Details has been made in accordance with the Valid Originating Message, the Participant must check to make sure that the change to the Registration Details of the Holder have been made to the correct Holding; and
- (d) if the change to the Registration Details were not made to the correct Holding, then the Controlling Participant must liaise with ASX Settlement as soon as possible, and in any event no later than two Business Days, to rectify the error.

Introduced 11/03/04

## **PROCEDURE 8.18.3**

The Notice to be given by ASX Settlement is a Notice:

- (a) notifying:
  - (i) the Controlling Participant that the requested change has been made; and
  - (ii) in respect of each class of Financial Products in a CHESS Holding of that person, the Issuer of those Financial Products that there has been a change of Holder Record details for that person; and
- (b) if the Holder Record has been established on behalf of a Participant Sponsored Holder:
  - (i) give Notice of the change to that Participant Sponsored Holder; and
  - (ii) if the change to the Holder Record includes is a change of address, send the Notice to the old address of that Participant Sponsored Holder.

Introduced 11/03/04

## **PROCEDURE 8.18.9 CHANGE OF RESIDENCY INDICATOR**

The action to be taken by a Participant where there is a change to a Residency Indicator is as follows:

- (a) the Participant must Transmit a Valid Originating Message that specifies the existing HIN for the Holder Record and the new Residency Indicator;
- (b) prior to sending the Valid Originating Message check that the details in the Valid Originating Message are correct;

- (c) at the time it transmits the Valid Originating Message have the authority of the Holder to make the changes noted in the Valid Originating Message; and
- (d) where relevant, maintain documentation which is sufficient to verify that it has been directed by the Holder to change the Residency Indicator.

Introduced 11/03/04

### **PROCEDURE 8.18.10**

ASX Settlement will take the following action upon receipt of the Message:

- (a) change the Residency Indicator recorded in the Holder Record in accordance with the specified details in the Valid Originating Message;
- (b) notify the Controlling Participant and the Issuer or Issuers whose Financial Products are included in Schedule 1 to which the change in Residency Indicator relates that the requested change has been made;
- (c) if the Holder Record has been established on behalf of a Participant Sponsored Holder, give Notice of that change to the Participant Sponsored Holder

Introduced 11/03/04

### **PROCEDURE 8.19.3 ACTION BY ASX SETTLEMENT FOLLOWING RECEIPT OF TFN, ABN OR EXEMPTION CODE DETAILS**

The Notice to be given by ASX Settlement is a Notice notifying:

- (a) the Issuer of the Financial Products, of the TFN, ABN or Exemption Code details; and
- (b) the Controlling Participant that the TFN, ABN or Exemption Code details have been notified to the Issuer; or
- (c) the Issuer of those details by including them in the Message Transmitted by ASX Settlement to the Issuer under Rule [9.7.2(b)]

Introduced 11/03/04

### **PROCEDURE 8.20.2 SUPPRESSION OR REINSTATEMENT OF PRODUCTION OF HOLDING STATEMENTS**

The entities are:

- (a) a related body corporate of the Participant making the request; or
- (b) an entity that is any one of the following:
  - (i) a bank;
  - (ii) a merchant bank;
  - (iii) a building society or credit union;

- (iv) a life insurance company;
- (v) a general insurance company;
- (vi) a superannuation fund with net assets of not less than \$5 million at the date of its last audited balance sheet;
- (vii) an investment company or investment trust with net assets of not less than \$5 million at the date of its last published audited balance sheet; and
- (viii) such other bodies corporate as ASX Settlement may from time to time determine

Introduced 11/03/04

## **PROCEDURE 8.20.2**

The Notice must:

- (a) quote the HIN of the Participant Sponsored Holder; and
- (b) be accompanied by written instructions signed by the Participant Sponsored holder in support of the request.

Introduced 11/03/04

## **PROCEDURE 8.22.2 ACTION FOLLOWING RECEIPT OF NOTICE FOR RECTIFICATION OF REGISTER**

The Notice to be given by ASX Settlement is:

- (a) Notice of the rectification to the Issuer;
- (b) Notice of the rectification and the reason for the rectification to the Participant that controls the Holding; and
- (c) if the Holding is a Participant Sponsored Holding, Notice to the Holder, or to the former Holder, as the case requires.

Introduced 11/03/04

## **SECTION 9**

### **PROCEDURE 9.4.1 VALID ORIGINATING MESSAGE FOR SINGLE ENTRY DEMAND TRANSFER**

A Valid Originating Message will be Transmitted to ASX Settlement in accordance with the Procedures if the Message:

- (a) includes a Participant's PID as that of the Participant Transmitting the Message;
- (b) specifies as the Source Holding, a CHESS Holding Controlled by the Participant;
- (c) specifies as the Target Holding, a different CHESS Holding;
- (d) specifies the number and class of Financial Products to be Transferred; and
- (e) in the case of a Foreign to Foreign Allocation:
  - (i) includes a Confirmed FOR Indicator; and
  - (ii) specifies a Source Holding which has a Residency Indicator of "F".

Introduced 11/03/04

### **PROCEDURE 9.5.1 INITIATION OF DUAL ENTRY DEMAND TRANSFER**

A Dual Entry Message will be transmitted to ASX Settlement in accordance with the Procedures if the Message:

- (a) includes the PID of:
  - (i) the Participant Transmitting the Message; and
  - (ii) the counterparty Participant;
- (b) specifies:
  - (i) the number and class of Financial Products to be Transferred;
  - (ii) if the Participant Transmitting the Message is the delivering Participant, specifies as the Source Holding, a Holding controlled by the Participant;
  - (iii) if the Participant Transmitting the Message is the receiving Participant, specifies as the Target Holding, a Holding controlled by the Participant;
- (d) designates the transaction as either On Market or Off Market as the case requires;
- (e) designates the transaction as Cum Entitlement or Ex Entitlement.
- (f) in the case of a Foreign to Foreign Allocation:
  - (i) includes a Confirmed FOR Indicator; and

- (ii) if the Participant Transmitting the Message is the Delivering Participant, specifies a Source Holding which has a Residency Indicator of “F”.

Introduced 11/03/04

## **PROCEDURE 9.5.2 MATCHING DUAL ENTRY DEMAND TRANSFERS**

A Valid Dual Entry Demand Message will be Transmitted in accordance with the Procedures if it specifies or implies:

- (a) the number and class of Financial Products to be Transferred;
- (b) the designation as On or Off Market;
- (c) the designation as Cum Entitlement or Ex Entitlement;
- (d) the PID of the delivering Participant;
- (e) the PID of the receiving Participant;
- (f) in the case of a Foreign to Foreign Allocation, a Confirmed FOR Indicator.

Introduced 11/03/04

## **PROCEDURE 9.7.1 TRANSFERS FROM CHESS HOLDINGS**

A Valid Originating Message will be Transmitted ASX Settlement in accordance with the Procedures if the Message:

- (a) includes a Participant's PID as that of the Participant Transmitting the Message;
- (b) specifies as the Source Holding, a CHESS Holding controlled by the Participant;
- (c) in the case of a Message initiating a Transfer, specifies the Registration Details for a Target Holding on the Issuer Sponsored Subregister;
- (d) specifies the number of Financial Products to be Transferred or Converted, as the case requires; and
- (e) in the case of a Foreign to Foreign Allocation
  - (i) includes a Confirmed FOR Indicator; and
  - (ii) specifies a Source Holding which has a Residency Indicator of “F”.

Introduced 11/03/04

## **PROCEDURE 9.8.1 TRANSFERS INTO CHESS HOLDINGS**

A Valid Originating Message will be Transmitted to ASX Settlement in accordance with the Procedures if the Message:

- (a) includes a Participant's PID as that of the Participant Transmitting the Message;

- (b) specifies as the Source Holding, an Issuer Sponsored Holding by quoting the SRN for the Holder of that Holding;
- (c) specifies as the Target Holding, a CHESS Holding controlled by that Participant;
- (d) specifies the number of Financial Products to be Transferred or Converted, as the case requires; and
- (e) in the case of a Foreign to Foreign Allocation:
  - (i) includes a Confirmed FOR Indicator; and
  - (ii) specifies a Source Holding which has a Residency Indicator of “F”.

Introduced 11/03/04 Amended 23/09/05

### **PROCEDURE 9.9.1 STANDING HINS**

The manner for determining whether a Message of a type listed in Appendix 2 specifies a Source Holding or a Target Holding is as follows:

- (a) If:
  - (i) the Message does not specify a HIN for the Source Holding; and
  - (ii) the Participant specified in the Message as the Transmitting Participant has given Notice of a Standing HIN for that Message type,the Message will be taken to specify that Standing HIN as the HIN of the Source Holding;
- (b) If:
  - (i) the Message does not specify a HIN for the Target Holding;
  - (ii) the Participant specified in the Message as the Controlling Participant for the Target Holding has given Notice of a Standing HIN for that Message type; and
  - (iii) paragraph (a) applies to the Message and the Transmitting Participant is not the Controlling Participant for the Target Holding, the Message will be taken to specify the Standing HIN as the HIN of the Target Holding.

Introduced 11/03/04

## SECTION 10

### PROCEDURE 10.4.5 NOTIFICATION OF BATCH INSTRUCTIONS

1. A Settlement Participant must notify ASX Settlement if it wishes to schedule for settlement in DvP Batch Settlement any Batch Instruction other than a Batch Instruction which is for the purpose of:
  - (a) settling a transaction which was entered into in the ordinary course of trading on the market of an Approved Market Operator
  - (b) settling a transaction which was entered into off-market and reported to an Approved Market Operator in accordance with applicable law and the operating rules of the Approved Market Operator
  - (c) settling a transaction which the Settlement Participant reasonably believes is for the purpose of facilitating settlement of a transaction which falls within (a) or (b) above
  - (d) settling a transaction which relates to either a loan of Financial Products or return of a loan of Financial Products
  - (e) transferring a portfolio of Financial Products the subject of an ETF Application
  - (f) settling a transaction which relates to Allocation Components for an Offer of Approved Financial Products
2. The Settlement Participant must notify ASX Settlement by email to [CHESSEhelp@asx.com.au](mailto:CHESSEhelp@asx.com.au), before 11.00 am (Sydney time) on the Business Day prior to the settlement day or the Business Day prior to the first settlement day in the case of a series of similar transactions.
3. The email must include the following information in the notification:
  - (a) the business reason for the settlement (ASX Settlement retains the right to request clarification of these reasons);
  - (b) whether the notification is for a one off transaction or a series of similar transactions; and
  - (c) where the transaction is one in a series of similar transactions a description of the expected duration and frequency.

Introduced 11/03/04 Amended 15/10/04, 27/06/11, 28/12/11

### PROCEDURE 10.4.5A POWER TO IMPOSE CONDITIONS ON SCHEDULING OF BATCH INSTRUCTIONS

ASX Settlement may at any time impose any conditions on the scheduling for settlement in DvP Batch Settlement of any Batch Instruction, other than a Batch Instruction described by paragraphs 1(a) – (f) of Procedure 10.4.5, that it considers reasonably necessary to preserve the integrity, reliability and efficiency of the Settlement Facility.

Introduced 28/12/11

## **PROCEDURE 10.4.5B DESIGNATION OF BATCH INSTRUCTIONS**

A Settlement Participant must designate **using a Transaction Basis of “F”**:

1. any Batch Instruction in respect of which the Settlement Participant is required (or would, but for the grant of a waiver by ASX Settlement, be required) to give notice to ASX Settlement under Rule 10.4.5; and
2. any Batch Instruction which is for one of the purposes mentioned in paragraphs 1(a) – (c) of Procedure 10.4.5 where the Approved Market Operator on whose market the transaction was executed or to whom the off-market transaction was reported (as the case may be) is provided with a Settlement Facilitation Service under Rule 4.1A.

Introduced 28/12/11

## **PROCEDURE 10.9.2 DUAL ENTRY BATCH INSTRUCTIONS**

A Valid Dual Entry Batch Message will be Transmitted in accordance with the Procedures if the Message:

- (a) specifies:
  - (i) the number and class of Financial Products to be Transferred;
  - (ii) a Source Holding controlled by the delivering Settlement Participant, or a Target Holding controlled by the receiving Settlement Participant, as the case requires;
  - (iii) in the case of a DvP Batch Instruction, the Settlement Amount;
  - (iv) in the case of a DvP Batch Instruction (excluding a Wholesale Loan or a Wholesale Return Loan), a Trade Date;
  - (v) a Settlement Date;
  - (vi) in the case of a Foreign to Foreign Allocation:
    - (A) a Confirmed FOR Indicator; and
    - (B) if the Settlement Participant Transmitting the Message is the Delivering Participant, a Source Holding controlled by the Participant which has a Residency Indicator of “F”, and
- (b) includes the PID of:
  - (i) the Settlement Participant Transmitting the Message; and
  - (ii) the counterparty Settlement Participant; and
- (c) designates the transaction as On Market or Off Market as the case requires.

Introduced 11/03/04

### **PROCEDURE 10.9.3 DUAL ENTRY BATCH INSTRUCTIONS – MATCHING**

The details to be specified or implied in a Dual Entry Batch Message are:

- (a) the number and class of Financial Products to be Transferred;
- (b) the designation as On Market or Off Market;
- (c) the designation as Cum Entitlement or Ex Entitlement;
- (d) the PID of the delivering Participant (or, if a DvP Transaction the relevant Clearing Participant);
- (e) the PID of the receiving Participant;
- (f) the Settlement Date;
- (g) if required, the Trade Date;
- (h) if required, a Settlement Amount; and
- (i) in the case of a Foreign to Foreign Allocation, a Confirmed FOR Indicator.

Introduced 11/03/04

### **PROCEDURE 10.9.11 SINGLE ENTRY BATCH INSTRUCTIONS**

The details to be specified in a Single Entry Batch Message are:

- (a) the Source Holding and another Holding as the Target Holding, each of which must be controlled by the Participant that Transmits the Message;
- (b) the number and class of Financial Products to be Transferred;
- (c) the Settlement Date;
- (d) includes the PID of the Participant Transmitting the Message;
- (e) designates the transaction as On Market or Off Market, as the case requires; and
- (f) in the case of a Foreign to Foreign Allocation:
  - (i) a Confirmed FOR Indicator; and
  - (ii) a Source Holding which has a Residency Indicator of “F”

Introduced 11/03/04

### **PROCEDURE 10.17.2 ACCRUED BATCH INSTRUCTIONS**

An Accrued Batch Instruction must:

- (a) specify:

- (i) a Settlement Date;
  - (ii) the number and class of Financial Products to be Transferred;
  - (iii) the Source and Target Holdings specified in the Parent Batch Instruction; and
  - (iv) in the case of an Accrued DvP Batch Instruction, the Settlement Amount;
- (b) include the PID of the delivering Participant and receiving Participant; and
- (c) be designated as On Market or Off Market in accordance with the designation of the Parent Batch Instruction.

Introduced 11/03/04

## **SECTION 12**

### **PROCEDURE 12.1.1 – [Deleted]**

Introduced 11/03/04 Deleted 23/09/05

### **PROCEDURE 12.1.2 – [Deleted]**

Introduced 11/03/04 Deleted 23/09/05

### **PROCEDURE 12.2.4 NOTICE, REPORTING AND COSTS OF AUDIT OF CLEARING ACCOUNTS**

A Notice will be accordance with the Procedures if the Notice:

- (a) identifies the Clearing Account or Clearing Accounts that ASX Settlement proposes to audit; and
- (b) specifies the date and time at which ASX Settlement will commence the audit.

Introduced 23/09/05

### **PROCEDURE 12.3.1 ASX SETTLEMENT TO CONDUCT ANNUAL REVIEW**

The review of CHESS is to comprise:

- (a) reviewing ASX Settlement's information processing facilities and the integrity of CHESS including:
  - (i) maintenance of security and confidentiality over the data of Facility Users;
  - (ii) security over the physical operation of CHESS;
  - (iii) CHESS backup and disaster recovery procedures; and
  - (iv) CHESS access controls; and
- (b) assessing the integrity and accuracy of information generated by CHESS including:
  - (i) internal controls over data input by ASX Settlement; and
  - (ii) processing and reporting of transaction data.

Introduced 23/09/05

### **PROCEDURE 12.9.1 – [Deleted]**

Introduced 11/03/04 Deleted 23/09/05

### **PROCEDURE 12.9.5 – [Deleted]**

Introduced 11/03/04 Deleted 23/09/05

## **PROCEDURE 12.10.2 – [Deleted]**

Introduced 11/03/04 Deleted 23/09/05

## **PROCEDURE 12.17.5 APPEAL AGAINST REVOCATION OF ASX SETTLEMENT APPROVAL**

An Appeal Notice complies with the Procedures if the Notice:

- (a) identifies the decision against which appeal is made;
- (b) sets out the grounds of the appeal; and
- (c) is given no later than 10 Business Days after the revocation takes effect.

Introduced 23/09/05

## **PROCEDURE 12.19.5 CONTENT OF NOTICES**

The matters to be specified in the Notice are:

- (a) the reason for the Restrictions, suspension or termination;
- (b) the date on which the Restrictions, suspension or termination will become effective;
- (c) the nature and extent of the Restrictions to apply to the participation of the non-compliant Participant;
- (d) the period for which the Restrictions will apply;
- (e) the date by which outstanding transactions of the non-compliant Participant that affect a CHES Holding under the control of that Participant must be completed; and
- (f) the date by which all CHES Holdings under the control of the non-compliant Participant must be:
  - (i) removed from the CHES Subregister; or
  - (ii) removed from the control of that Participant.

Introduced 23/09/05

## **PROCEDURE 12.21.1 APPEAL BY NON-COMPLIANT PARTICIPANT**

An Appeal Notice complies with the procedures if it:

- (a) identifies the decision against which appeal is made;
- (b) sets out the grounds of appeal; and
- (c) is given no later than 10 Business Days after receipt by the non-compliant Participant of a Notice under Rule 12.19.

Introduced 23/09/05

## **SECTION 13**

### **PROCEDURE 13.2.1 APPROVAL OF PERSON AS PRINCIPAL ISSUER**

Persons must submit a copy of an executed Appendix 1A of the ASX Listing Rules or Appendix 10.3.3 or 10A.3.3 of the ASX Operating Rules Procedures, as well as a prospectus or Product Disclosure Statement, to create a CHESS Subregister.

Introduced 06/06/05 Amended 30/03/09

### **PROCEDURE 13.5A.1 TERMINATION OF TRUST OVER PRINCIPAL FINANCIAL PRODUCTS**

The affected Holders of CDIs will be notified in accordance with the Procedures if:

- (a) a Notice is sent to each Holder of CDIs in respect of the relevant class of Principal Financial Products for whom a complete address is recorded in the CDI Register;
- (b) the Notice states (or contains words to the following effect):
  - (i) that approval of CDIs in respect of the relevant class of Principal Financial Products has been revoked by ASX Settlement;
  - (ii) that the Depository Nominee has, by resolution of its board of directors, revoked the trust under which it holds the relevant Principal Financial Products; and
  - (iii) the effective date of the revocation of trust, as specified in the resolution of the Depository Nominee's board of directors; and
- (c) the Notice contains such other information (including, without limitation, details of the procedure by which the Principal Financial Products and any other relevant property will be distributed to CDI Holders) as the Depository Nominee in its absolute discretion may choose to include in the Notice.

Introduced 17/03/08

### **PROCEDURE 13.5A.2 DISTRIBUTION OF PRINCIPAL FINANCIAL PRODUCTS AND POWER OF SALE**

- (a) For the purpose of Rule 13.5A.2(a), the affected Holders of CDIs will be notified in accordance with the Procedures if:
  - (i) the Notice sent under Procedure 13.5A.1; or
  - (ii) any other Notice which is sent to each Holder of CDIs in respect of the relevant class of Principal Financial Products for whom a complete address is recorded in the CDI Register,

contains details of the procedure by which the Principal Financial Products and any other relevant property will be distributed to Holders.

- (b) For the purpose of Rule 13.5A.2(c):
  - (i) the Depository Nominee may not sell Principal Financial Products and any other relevant property unless 60 days have elapsed since the date of the Depository Nominee's Notice sent under Procedure 13.5A.1;
  - (ii) the Depository Nominee may, in its absolute discretion, publicly advertise in an Australian national newspaper its intention to sell Principal Financial Products and any other relevant property before doing so.

Introduced 17/03/08

### **PROCEDURE 13.7.3 ACCEPTANCE OF TAKEOVERS**

The Notice will be given in accordance with the Procedures if the Notice:

- (a) informs the Holder of CDIs that they are entitled to accept the offer with respect to the Principal Financial Products corresponding to their CDI Holding;
- (b) informs the Holder of CDIs that acceptance of the offer must be by completion of the acceptance form in accordance with the offer documentation; and
- (c) advises the Holder of CDIs of the date by which the acceptance must be received by the offeror's receiving agent to enable the receiving agent to process the acceptances and the Depository Nominee to lodge an acceptance as holder of the Principal Financial Products prior to close of the offer.

Introduced 11/03/04 Amended 06/06/05

### **PROCEDURE 13.8.9 NOTICE OF MEETING**

The Notice will be given in accordance with the Procedures if the Notice:

- (a) informs the Holder of CDIs of his or her right to direct the Depository Nominee on how it should vote with respect to the resolutions described in the Notice;
- (b) makes provision for a direction to be given by the Holder of CDIs in relation to how the Depository Nominee should so vote; and
- (c) specifies the time and date by which Holders of CDIs must provide their directions to the Depository Nominee.

A Principal Issuer who has appointed CHESSE Depository Nominees as its Depository Nominee, must also include in the next Notice of annual general meeting sent to Holders of CDIs after 30 June 2004 the following statement:

**To obtain a copy of CHESSE Depository Nominee's Financial Services Guide, go to [www.asx.com.au/CDIs](http://www.asx.com.au/CDIs) or phone 1300 300 279 if you would like one sent to you by mail.**

Introduced 11/03/04 Amended 10/06/04

## **PROCEDURE 13.9.2 CDI TO PRINCIPAL FINANCIAL PRODUCT TRANSMUTATION**

A Valid Originating Message is Transmitted to ASX Settlement in accordance with the Procedures if the Message:

- (a) includes a Participant's PID as that of the Participant Transmitting the Message;
- (b) specifies as the Source Holding, a CHESS Holding Controlled by the Participant;
- (c) specifies the Registration Details to enable registration of the Holder of CDIs on the Principal Register of the Principal Issuer, where applicable; and
- (d) specifies the number of CDIs to be transferred.

Introduced 11/03/04 Amended 06/06/05

## **PROCEDURE 13.9.4 TRUSTEE TRANSFER FORMS**

A Trustee Transfer Form is in accordance with the Procedures if the Form quotes:

- (a) the Depository Nominee as the transferor;
- (b) the person whose Registration Details for the Target Holding are quoted in the Message transmitted by ASX Settlement under Rule 13.9.3 as the transferee;
- (c) the number of Principal Financial Products specified in the Message Transmitted by ASX Settlement under Rule 13.9.3; and
- (d) such other information specified in the Message Transmitted by ASX Settlement under Rule 13.9.3 as is necessary to give effect to the Transfer.

Introduced 11/03/04 Amended 06/06/05

## **PROCEDURE 13.9.7 PRINCIPAL FINANCIAL PRODUCTS TO CDI TRANSMUTATION**

A valid Originating Message is Transmitted to ASX Settlement in accordance with the Procedures if the Message:

- (a) includes a Participant's PID as that of the Participant Transmitting the Message;
- (b) where the Principal Financial Product is held in certificated form, specifies as the Source Holding, a Certificated Holding by supplying:
  - (i) the Certificate Number of a Certificate issued for that Holding;
  - (ii) the Marking Number of a Marked Transfer raised pursuant to a Certificate previously Issued for that Holding; or
  - (iii) in the case of a Message Transmitted by a Participant to Transfer Financial Products from a Held Balance, the Held Balance Reference Number;
- (c) where the Principal Financial Product is held in electronic form, specifies as the Source Holding, the account number;

- (d) specifies the SRN for the Holder of the Source Holding where the Principal Issuer of the Principal Issuer of the Principal Financial Products held in the Source Holding has given Notice to ASX Settlement requiring that an SRN be specified in any Message initiating a Principal Financial Product to CDI Transmutation in that class of Principal Financial Product;
- (e) specifies as the Target Holding, a CHESS Holding controlled by that Participant; and
- (f) specifies the number of Principal Financial Products to be Transmuted.

Introduced 06/06/05

#### **PROCEDURE 13.19.4 FDI REGISTER**

An FDI Register will be maintained in accordance with the Procedures if it contains:

- (a) the name and address of the Holder;
- (b) the date of acquisition or disposal of the Participating International Financial Products;
- (c) for each type and class of Participating International Financial Products the number acquired or disposed of and the total number held from time to time; and
- (d) all other details which are provided to the Depositary Nominee by the entity issuing or holding the Participating International Financial Products being details relevant to identifying the type or class of Participating International Financial Products.

Introduced 11/03/04

#### **PROCEDURE 13.21.2 ACCEPTANCE OF TAKEOVER BID ON BEHALF OF HOLDERS OF FDIS**

A Notice under Rule 13.21.2 (b) is in accordance with the Procedures if the Notice:

- (a) informs the Holder of FDI's that they are entitled to accept the offer with respect to the Participating International Financial Products corresponding to their holding of FDI's;
- (b) informs the Holder of FDI's that acceptance of the offer must be by completion of the acceptance form in accordance with the offer documentation or provided the consent of ASX Settlement has been first obtained, through a CHESS Provision; and
- (c) advises the Holder of FDI's of the date by which the acceptance must be received by the Depositary Nominee's receiving agent to enable the receiving agent to process the acceptances and the Depositary Nominee to lodge an acceptance as holder of the Participating International Financial Products prior to close of the offer.

Introduced 11/03/04 Amended 06/06/05

#### **PROCEDURE 13.22.10 NOTICE TO HOLDERS OF RIGHTS IN RELATION TO VOTING**

A Notice is in accordance with the Procedures if the Notice:

- (a) informs the Holder of FDI's of his or her right to direct the Depositary Nominee on how it should vote with respect to the resolutions described in the notice;

- (b) makes provision for a direction to be given by the Holder of FDIs in relation to how the Depositary Nominee should so vote; and
- (c) specifies the time and date by which Holders of FDIs must provide their directions to the Depositary Nominee.

Introduced 11/03/04

## **SECTION 14**

### **PROCEDURE 14.6.1 RESERVATION OF SECURITIES IN CHESS HOLDINGS AS DERIVATIVES COVER**

A Valid Originating Message will be Transmitted to ASX Settlement in accordance with the Procedures if it:

- (a) specifies the Clearing Participant, ASX Clear Account and ASX Clear Lodgement Number in respect of which the Financial Products are to be reserved; and
- (b) specifies the number and class of Financial Products to be reserved in the Subposition; and
- (c) specifies the source HIN.

Introduced 11/03/04

### **PROCEDURE 14.9.1 DERIVATIVES COVER RELEASE AND TRANSFER**

A Valid Message will be Transmitted to ASX Settlement in accordance with the Procedures if it:

- (a) specifies a Source Holding that contains Financial Products that have been reserved in a Subposition in favour of ASX Clear;
- (b) specifies another CHESS Holding as the Target Holding; and
- (c) specifies the ASX Clear Lodgement Number and number of Financial Products to be released from that Subposition and Transferred to the Target Holding.

Introduced 11/03/04

## PROCEDURE – SCHEDULE 1 FOR FINANCIAL PRODUCTS

The following classes of Financial Products are the FOR Financial Products which have been included in Schedule 1.

Issuer	Financial Product	ASX Code	Effective Date
Telstra Corporation Limited	Fully Paid Ordinary shares	TLS	27 October 1998 [Bulletin P98/294]
Macquarie Airports	Stapled Securities Fully Paid – Excluded U.S. Person Prohibited	MAP	14 August 2002 [Bulletin P2005/382] 4 November 2009 [Bulletin P2009/657]
Sunshine Heart Inc	CUFS US Prohibited	SHC	28 September 2004 [Bulletin P2004/370]
Universal Biosensors, Inc	CDIs US Prohibited	UBI	13 December 2006 [Bulletin P2006/662]
Valad Property Group	Stapled Securities	VPG	10 July 2007 [Bulletin P2007/343]
Goodman Group	Stapled Securities	GMG	29 October 2008 [Bulletin P2008/366]
DUET Group	Stapled Securities	DUE	21 April 2009 [Bulletin P2009/148]
Charter Hall Group	Stapled Securities	CHC	11 June 2009 [Bulletin P2009/261]
GI Dynamics, Inc	CDIs US Prohibited	GID	5 September 2011 [Bulletin P2011/512]
Goodman Fielder Limited	Entitlements Excluded Shareholders	GFFR	30 September 2011 [Bulletin P2011/554]

Introduced 18/12/06 Amended 02/02/07, 10/07/07, 03/08/07, 21/01/08, 29/10/08, 21/04/09, 11/06/09, 04/11/09, 11/05/10, 03/12/10, 18/03/11, 30/06/11, 18/07/11, 05/09/11, 30/09/11

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