

# **[CO 01/1599]**

## **Sydney Futures Exchange — participant's relevant interest and voting power**

*Issued 21/12/2001*

*Class Order [CO 01/1599] allows that, in certain circumstances, participants of SFE Corporation or Sydney Futures Exchange, and others are entitled to disregard a participant's relevant interest in, and voting power in relation to, a security for the purposes of Chs 6 and 6C of the Act. This class order revokes Class Order [CO 00/458]*

<i>Amending Class Order</i>	<i>Date of operation</i>
[CO 02/274]	11/3/2002

### **Australian Securities and Investments Commission Corporations Act 2001 — Subsections 655A(1) and 673(1) — Revocation and Declaration**

1. Under subsections 655A(1) and 673(1) of the *Corporations Act 2001* (the "Act") the Australian Securities and Investments Commission (ASIC) hereby revokes Class Order [00/458].
2. Under subsection 655A(1) of the Act ASIC hereby declares that Chapter 6 of the Act applies to the classes of persons mentioned in the Schedule as if section 609 of the Act were modified or varied by inserting the following subsection after subsection 609(6):

"(6A) For the purposes of this Chapter, disregard a relevant interest of a person (a "broker") in relation to a security if the broker's ordinary business includes dealing in derivatives and the broker has authority to exercise powers as the holder of the relevant interest only because of specific instructions given to the broker, by or on behalf of another person (a "client"), directing the broker to enter into a sold position in relation to the security on the client's behalf in the ordinary course of that business."

[Historical note: Para 2 amended 11/3/2002 [CO 02/274] by replacing the words "futures contracts" with the word "derivatives".]

3. Under subsection 673(1) of the Act ASIC hereby declares that Chapter 6C of the Act applies to the classes of persons mentioned in the Schedule as if section 671B of the Act were modified or varied by inserting after subsection 671B(7) the following subsection:

"(7A) For the purposes of this section and the definition of "substantial holding" in section 9, disregard any relevant interest or voting power in shares which is disregarded for the purposes of Chapter 6 because of subsection 609(6A)."

SCHEDULE

Persons who are a "participant" within the meaning of the operating rules of:

- (a) SFE Corporation Limited (ACN 000 299 392);
- (b) Sydney Futures Exchange Limited (ACN 000 943 377);
- (c) SFE Clearing Corporation Pty Limited (ACN 050 615 864).

*[Historical note: Sch amended 11/3/2002 [CO 02/274] by replacing the words "By Laws" with the words "operating rules".]*

Dated the 21st day of December 2001

Signed by Stephen Yen  
as a delegate of the Australian Securities and Investments  
Commission