

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 911A(2)(l) — Variation**

**Enabling provision**

1. The Australian Securities and Investments Commission makes this instrument under paragraph 911A(2)(l) of the *Corporations Act 2001*.

**Title**

2. This instrument is ASIC Class Order [CO 05/957].

**Commencement**

3. This instrument commences on the later of:
  - (a) the date of its gazettal; and
  - (b) 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. ASIC Class Order [CO 03/1102] is varied as follows:
  - (a) in Schedule A omit paragraph (a), substitute:

“(a) the body:
    - (i) has a current capital market services licence; or
    - (ii) has a current banking licence; or
    - (iii) is a merchant bank approved as a financial institution;”;
  - (b) in Schedule B omit paragraph 2(a), substitute:

“(a) either:
    - (i) a copy of the capital market services licence or banking licence granted to it by MAS; or
    - (ii) evidence that ASIC has stated in writing is adequate that it is a merchant bank approved as a financial institution;”;

- (c) in Schedule C (subparagraph 2(a)(i)) omit “licence”, substitute “licence, banking licence or approval of the merchant bank as a financial institution”; and
- (d) under the heading “Interpretation” after the definition of “Agent”, insert:

***“approval of a merchant bank as a financial institution*** means approval granted by MAS under section 28 of the *Monetary Authority of Singapore Act 1970* of Singapore;

***banking licence*** means a licence granted by MAS under section 7 or section 79 of the *Banking Act 1970* of Singapore;”.

Dated this 23rd day of September 2005

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