

**Australian Securities and Investments Commission
Corporations Law - Subsection 709(3) - Approval**

Pursuant to subsection 709(3) of the Corporations Law (the Law), the Australian Securities and Investments Commission (ASIC) hereby approves the use of profile statements for offers of securities of the kind specified in Schedule A where those profile statements include the information specified in Schedule B.

SCHEDULE A

Interests in a registered managed investment scheme (the “scheme”) which are not quoted or to be quoted on a stock market of a securities exchange where:

1. the scheme carries on a business which consists entirely of:
 - (a) investing or trading in any or all of the following, with a view to acquiring a range of investments:
 - (i) accounts or deposits with an Australian ADI;
 - (ii) bills of exchange;
 - (iii) promissory notes;
 - (iv) securities including property securities;
 - (v) letters of credit;
 - (vi) mortgages over real or personal property;
 - (vii) loans;
 - (viii) life assurance policies;
 - (ix) a right or option in respect of such an account, deposit, bill, note, security, letter, mortgage, loan or policy; and
 - (x) any similar financial instrument; and
 - (b) investing or trading in any or all of the following for purposes incidental to investing or trading in the financial instruments referred to in paragraph (a):
 - (i) futures contracts;
 - (ii) forward contracts;
 - (iii) interest rate swap contracts;

- (iv) currency swap contracts;
 - (v) forward exchange rate contracts;
 - (vi) forward interest rate contracts;
 - (vii) a right or option in relation to such a contract; or
 - (viii) any similar financial instruments; and
2. the scheme is not one in which:
- (a) a member may direct that an amount of money corresponding to part or all of the amount invested by the member in the scheme be invested in specified securities or other investments (“accessible investments”); and
 - (b) the distributions of capital and income from the scheme to the member in relation to their interests in the scheme will be determined by reference to the amount received by the custodian of the scheme assets in relation to the accessible investments acquired in accordance with that direction.

SCHEDULE B

1. Key investment information

Information that answers the following questions:

- (a) How will the scheme generate returns for investors and what form will those returns take?
- (b) How can an investor invest in the scheme?
- (c) How and when can an investor withdraw their investment (including any returns on an investment which are reinvested) from the scheme?

The information that answers these questions must be sufficient to enable a typical investor considering investing in interests in the scheme to make an informed decision either:

- (a) to invest in those interests based on the information in the profile statement;
or
- (b) to request a copy of the prospectus offering those interests for issue before making a decision whether to invest in those interests.

2. Key comparative information

Risk

- (a) In tabular form, or by bar chart or other graphical representation, the investment return of the scheme for each of the past 10 years (or for the life of the scheme if it is shorter than 10 years) together with either:
 - (i) a statement to the effect that the figures in the table, bar chart or other graphical representation illustrate the potential volatility in the returns from the scheme; or
 - (ii) an explanation of why the returns from the scheme may be more volatile than those illustrated in the table, bar chart or other graphical representation; and
- (b) an explanation of how the returns have been calculated; and
- (c) a statement to the effect that future returns may differ from past returns.

Returns

- (d) In tabular form, the distribution returns, growth returns and investment returns of the scheme per annum for the previous periods of one, 3, 5 and 10 years (or for such of those periods as the scheme has been in operation) together with a statement to the effect that future returns may differ from past returns. If the scheme has not been in operation prior to the issue of the profile statement, the profile statement must instead contain a statement to the effect that the scheme does not have a performance record.

Fees, commissions and charges

- (e) In tabular form, separate figures for the aggregate of all:
 - (i) current entry fees, commissions and charges as a percentage of the total amount paid by the investor;
 - (ii) current ongoing fees, commissions and charges as a percentage of the total assets of the scheme; and
 - (iii) current exit fees, commissions and charges as a percentage of the amount withdrawn from the scheme.

In calculating current fees, commissions and charges, those which are known at the time of issue of the profile statement or could ordinarily be expected to be incurred in the course of the operation of the scheme must be included but abnormal expenses may be excluded.

Interpretation

In this instrument :

- (a) “distribution return” means investment return less growth return expressed in percentage terms;
- (b) “growth return” means the increase in the withdrawal value of an interest, expressed as a percentage of the withdrawal value of the interest, adjusted for any reorganisation of capital and adjusted for ongoing fees, charges and expenses where they are not otherwise reflected in the withdrawal value, at the beginning of any period of 12 months selected by the responsible entity on a consistent basis;
- (c) “investment return” means the change in the value of an interest in a scheme calculated:
 - (i) using any period of 12 months selected on a consistent basis by the responsible entity;
 - (ii) using beginning or end of month exit prices, excluding entry fees imposed on the reinvestment of distributions, but including ongoing fees, charges and expenses where they are not otherwise reflected in the unit price, and assuming reinvestment of distributions; and
 - (iii) making adjustments for any reorganisation of capital; and
- (d) “scheme” has the meaning given to that term in this instrument.

Dated the 12th day of February 2000.

Signed by Brendan Byrne
as a delegate of the Australian Securities and Investments Commission