

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

Under paragraph 1020F(1)(c) of the *Corporations Act 2001* (the “Act”) the Australian Securities and Investments Commission declares that Part 7.9 of the Act applies in relation to an issuer of a financial product in the case referred to in the Schedule, as if section 1013A of the Act were modified or varied by:

1. in subsection (1), omitting “must be a document that has been prepared by the issuer of the financial product.” and substituting:

“may relate to one or more financial products of more than one issuer, and must be a document that has been prepared by the issuer of each financial product to which the Statement relates.”; and
2. in subsection (3), after “prepared” inserting “and who is the issuer of the product”.

Schedule

An offer to issue or to arrange the issue, an issue, or a recommendation to acquire by way of the issue, of a financial product where:

1. the Product Disclosure Statement that is given for that financial product also relates to at least one other financial product of another issuer;
2. each financial product to which the Statement relates (“product”) is of the same kind; and
3. each issuer of a product is a related body corporate of each other issuer of a product; and
4. either:
 - (a) the Statement states or implies that each of the products will be able to be traded on a financial market (whether in Australia or elsewhere); or
 - (b) the Statement does not state or imply that any product will be able to be so traded; and
5. the Statement includes a statement to the effect that the issuers are related bodies corporate and that they will remain related bodies corporate for so long as the products are being offered and issued under the Statement; and
6. the new product disclosure provisions apply to each of the products.

Note: A Product Disclosure Statement cannot relate to financial products that are securities : see section 1010A of the Act. Accordingly, this instrument does not affect the extent to which a Product Disclosure Statement may be combined with a disclosure document for an offer of securities.

Interpretation:

For the purposes of this instrument:

1. a financial product is of the same kind as another financial product if and only if both products are covered by the same paragraph of subsection 764A(1) of the Act, and that paragraph is not paragraph (a), (j) or (m); and
2. “new product disclosure provisions” has the meaning given by subsection 1438(2) of the Act.

Dated this 15th day of October 2003

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