

Australian Securities and Investments Commission
Corporations Act 2001 – Paragraphs 655A(1)(b), 669(1)(b) and 673(1)(b) –
Declaration

Under paragraphs 655A(1)(b), 669(1)(b) and 673(1)(b) of the *Corporations Act 2001* (the *Act*), the Australian Securities and Investments Commission declares that Chapters 6, 6A and 6C of the Act apply to all persons as if section 12 of the Act were modified or varied by:

1. inserting at the beginning of each of paragraphs 12(2)(b) and (c) “subject to subsection 12(2A),”; and
2. inserting after subsection 12(2):
 - “(2A) For the purposes of paragraphs 12(2)(b) and (c), the second person is not an associate of the primary person in relation to a designated body merely because:
 - (a) they have entered or propose to enter into a relevant agreement; and
 - (b) one of them has or will have a right under that relevant agreement (whether the right is enforceable presently or in the future and whether or not on the fulfilment of a condition) to dispose of securities in the designated body or control the exercise of a power to dispose of the securities.”.

Dated this 9th day of June 2004

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