

**Australian Securities and Investments Commission  
Corporations Act 2001 — Paragraph 601QA(1)(a) — Variation**

**Enabling legislation**

1. The Australian Securities and Investments Commission (*ASIC*) makes the variations set out in this instrument under paragraph 601QA(1)(a) of the *Corporations Act 2001*.

**Title**

2. This instrument is ASIC Class Order [CO 07/91].

**Commencement**

3. This instrument commences on 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 03/104] is varied by:
  - (a) in Schedule A omitting paragraph 2 and the note under it and substituting:
    - “2. The responsible entity must use reasonable endeavours to sell the forfeited interest:
      - (a) if a Product Disclosure Statement has been given in accordance with Part 7.9 of the Act during the last 12 months for interests in the Scheme in the same class as the forfeited interest — at the price shown in the statement most recently given; or
      - (b) if no such Product Disclosure Statement has been given during the last 12 months — at a fair market price obtained by the responsible entity using reasonable endeavours.”; and
  - (b) in Schedule B omitting “or prospectus”.

Dated the 8th day of February 2007

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