

**Australian Securities and Investments Commission  
Corporations Act 2001 – Subsection 601QA(1) – Declaration**

**Enabling legislation**

1. This Australian Securities and Investments Commission makes this instrument under subsection 601QA(1) of the *Corporations Act 2001* (the *Act*).

**Title**

2. This instrument is ASIC Class Order [CO 13/519].

**Commencement**

3. This instrument commences on the day 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*, section 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

**Declaration**

4. Chapter 5C of the Act applies to all persons as if section 601FM were modified or varied by, after subsection (1), inserting:

“(1A) Without limiting the generality of subsection (1), in the case of a registered scheme that is listed:

- (a) the responsible entity must call and arrange to hold a meeting of the members to consider and vote on proposed resolutions to remove the responsible entity and choose a new responsible entity on the request of:
  - (i) members with at least 5% of the votes that may be cast on the resolution; or
  - (ii) at least 100 members who are entitled to vote on the resolution; and
- (b) members who hold interests carrying at least 5% of the votes that may be cast at a meeting of the members may call and arrange to hold a meeting of the members to consider and vote on proposed resolutions to remove the responsible entity and choose a new responsible entity; and
- (c) the Court may order a meeting of the members to be called to consider and vote on proposed resolutions to remove the responsible

entity and choose a new responsible entity if it is impracticable to call the meeting in any other way.”.

Dated this 17<sup>th</sup> day of June 2013

Signed by Grant Moodie  
as a delegate of the Australian Securities and Investments Commission