

Australian Securities and Investments Commission
ASIC Market Integrity Rules (Competition in Exchange Markets) 2011 –
Rule 1.2.1(1) – Class Rule Waiver

Enabling provision

1. The Australian Securities and Investments Commission ("**ASIC**") makes this instrument under Rule 1.2.1(1) of the *ASIC Market Integrity Rules (Competition in Exchange Markets) 2011* (the "**ASIC Market Integrity Rules (Competition)**").

Title

2. This instrument is ASIC Class Rule Waiver [CW 13/1543].

Commencement

3. This instrument commences on the later of:
 - (a) 9 December 2013; or
 - (b) 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*, section 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au>.

Withdrawal

4. ASIC Class Rule Waiver [CW 13/1479] is withdrawn.

Waiver

5. ASIC relieves a Participant from the obligation to comply with Rule 4.1.1(1) of the ASIC Market Integrity Rules (Competition).

Where this instrument applies

6. This instrument applies to a Transaction entered into by the Participant as a result of placing a Market on Close Order on the Chi-X Market.

Interpretation

7. In this instrument:-

Chi-X means Chi-X Australia Pty Ltd (ACN 129 584 667).

Chi-X Market means the Financial Market operated by Chi-X.

Market on Close Order means a Hidden Order of that name available on the Chi-X Market, with the following features:

- a. submittable from the opening of the Chi- X Market until 4:20pm AEST;
- b. matchable only with another Market on Close Order;
- c. either:
 - i) priced at the closing price ("CSPA Price") of the relevant Equity Market Product published by ASX Limited ("ASX") at the conclusion of the Closing Single Price Auction ("CSPA") on the Trading Day on which the Market on Close Order was entered; or
 - ii) subject to paragraph d. ii) below, in the event there is no CSPA Price published by ASX for the relevant Equity Market Product for the relevant Trading Day, priced at the last traded price for the relevant Equity Market Product for that Trading Day from ASX;
- d. even if matched, does not result in a Transaction if:
 - i) there is no CSPA Price and no last traded price for the relevant Equity Market Product for the relevant Trading Day; or
 - ii) there is a trading halt or suspension that prevents the ASX publishing a CSPA for the relevant Equity Market Product for the relevant Trading Day.

Participant means a participant of the Chi-X Market.

8. In this instrument, unless the contrary intention appears, capitalised terms have the meaning given by the ASIC Market Integrity Rules (Competition).

Dated this 5th day of December 2013

Signed by Kathleen Cuneo
as a delegate of the Australian Securities and Investments Commission