

Australian Securities and Investment Commission**ASIC Market Integrity Rules (ASX Market) 2010 – Rule 3.4.1****Class Rule Waiver****Enabling Provision**

1. The Australian Securities and Investments Commission (ASIC) makes this instrument under Rule 1.2.1 of the *ASIC Market Integrity Rules (ASX Market) 2010 (ASX Rules)*.

Title

2. This instrument is ASIC Class Rule Waiver [CW 14-1091].

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*, section 4 (definition of *register*). The FRLI may be accessed at <http://www.frli.gov.au/>.

When this waiver applies

4. The relief in paragraph 5 of this instrument applies when:
 - (a) the client is not a Retail Client; and
 - (b) the Market Transaction is in respect of a Product which is a Derivatives Market Contract.

Waiver

5. ASIC relieves a Market Participant from the obligation to comply with Rule 3.4.1, subject to the conditions in paragraph 7 and 8 of this instrument.

Period during which this waiver applies

6. The relief in paragraphs 5 of this instrument applies from the date this instrument commences under paragraph 3 until 30 April 2016.

Conditions

7. The Market Participant has notified the client before entering a Trading Message on the client's behalf that Market Transactions effected for the client are subject to:

- (i) the directions, decisions and requirements of the Market Operator, the ASX Rules, the Market Operating Rules, the Clearing Rules and where relevant, the Settlement Rules;
 - (ii) the customs and usages of the Market; and
 - (iii) the correction of errors and omissions; and
8. A Market Participant must keep a record of the notification referred to in condition 7 of this instrument.

Interpretation

9. In this instrument, unless the contrary intention appears, capitalised terms have the meaning given by the ASX Rules

Dated this 27th day of October 2014

Signed by Greg Yanco

As a delegate of the Australian Securities and Investments Commission