



Foreign Acquisitions and Takeovers (Prohibition of Proposed Action) Order (No. 2) 2023

I, Jim Chalmers, Treasurer, being satisfied of the matters in subsection 67(1) of the *Foreign Acquisitions and Takeovers Act 1975*, make the following instrument.

Dated 20 July 2023

Dr Jim Chalmers
Treasurer

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Part 1—Preliminary

1 Name

This instrument is the *Foreign Acquisitions and Takeovers (Prohibition of Proposed Action) Order (No. 2) 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 5 and anything in this instrument not elsewhere covered by this table	The day this instrument is registered.	
2. Section 6	The 31st day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Foreign Acquisitions and Takeovers Act 1975*.

4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Foreign Acquisitions and Takeovers Act 1975* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

ABN has the meaning given by the *A New Tax System (Australian Business Number) Act 1999*.

ACN has the meaning given by the *Corporations Act 2001*.

Alita Resources means Alita Resources Limited (ABN 56 147 393 735).

Austroid Australia means Austroid Australia Pty Ltd (ACN 664 535 899).

Part 1 Preliminary

Section 4

Austroid Corporation means the corporation incorporated with that name in the State of Nevada in the United States of America.

the Act means the *Foreign Acquisitions and Takeovers Act 1975*.

Part 2—Orders

5 Prohibited proposed actions

Under subsection 67(2) of the Act, the following proposed actions are prohibited:

- (a) the whole of the proposed acquisition by Austroid Corporation of an additional 90.10% interest in Alita Resources (which would have the effect of increasing Austroid Corporation's interest in Alita Resources to 100%); and
- (b) the whole of the proposed acquisition by Austroid Australia of a 100% interest in Alita Resources.

6 Directions

Under subsection 67(3) of the Act:

- (a) Austroid Corporation is directed *not* to acquire any further interest in securities in Alita Resources if doing so will result in an increase in the proportion of interests it holds in Alita Resources exceeding 9.90%; and
- (b) Austroid Australia is directed *not* to acquire any interest in securities in Alita Resources.