



## **Financial Sector (Shareholdings) (Auswide Bank Limited) Instrument 2025**

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I, Jim Chalmers, Treasurer, make the following instrument.

Dated            24 January 2025

Dr Jim Chalmers  
Treasurer

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## Part 1—Preliminary

### 1 Name

This instrument is the *Financial Sector (Shareholdings) (Auswide Bank Limited) Instrument 2025*.

### 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. The whole of this instrument	The 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Note: This table relates only to the provisions of this instrument as originally made.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 following:

- (a) the *Banking Act 1959*; and
- (b) the *Financial Sector (Shareholdings) Act 1998*; and
- (c) the *Financial Sector (Transfer and Restructure) Act 1999*.

### 4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Financial Sector (Shareholdings) Act 1998* 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*.

**ADI** (authorised deposit-taking institution) means a body corporate that is an ADI for the purposes of the *Banking Act 1959*.

**the Act** means the *Financial Sector (Shareholdings) Act 1998*.

Section 5

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## Part 2—Approvals to exceed 20% shareholding limit

### 5 Approval of application

- (1) Under paragraph 14(1)(a) of the Act, each item of the following table grants approval to the applicant specified in the item:
- (a) to hold more than a 20% stake in the financial sector company specified in the item; and
  - (b) to hold no more of the stake specified in the item in the financial sector company.

<b>Item</b>	<b>Name of applicant</b>	<b>ABN of applicant</b>	<b>Financial sector company</b>	<b>ABN of financial sector company</b>	<b>Approved holding in the financial sector company</b>
1	MyState Limited	26 133 623 962	Auswide Bank Limited	40 087 652 060	100%
2	MyState Bank Limited	89 067 729 195	Auswide Bank Limited	40 087 652 060	100%

- (2) The approval granted under subsection (1) remains in force until repealed or otherwise revoked.

## **Part 3—Related approvals for a subsequent transfer of business**

### **6 Consent to voluntary transfer of business between ADIs**

Under paragraph 11(1)(e) of the *Financial Sector (Transfer and Restructure) Act 1999*, consent is given to the transfer of business from Auswide Bank Limited (ABN 40 087 652 060) to MyState Bank Limited (ABN 89 067 729 195).

Note: A transfer of business is also subject to approval by ARPA—see section 11 of the *Financial Sector (Transfer and Restructure) Act 1999*.

### **7 Consent to restructuring of ADIs**

Under subsection 63(1) of the *Banking Act 1959*, consent is given to Auswide Bank Limited (ABN 40 087 652 060) to enter into an arrangement or agreement for the sale or disposal of its business to MyState Bank Limited (ABN 89 067 729 195).